



Staff Report

To: Planning Commission

Through: Chris Kerr, Community Development Director *C.K.*

From: Dan Handel, AICP, Associate Planner

Meeting Date: September 10, 2020 (Prepared September 3, 2020)

Item: CU 2020-02 & EXCP 2020-06 "AT&T Cell Tower"

Tax Lot(s): 051W08CB05000

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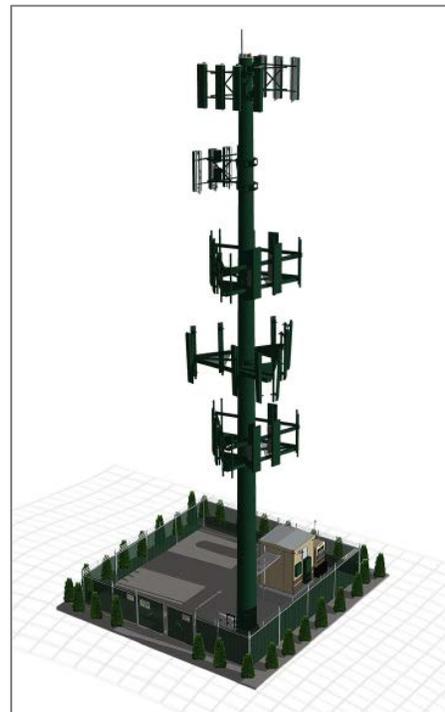
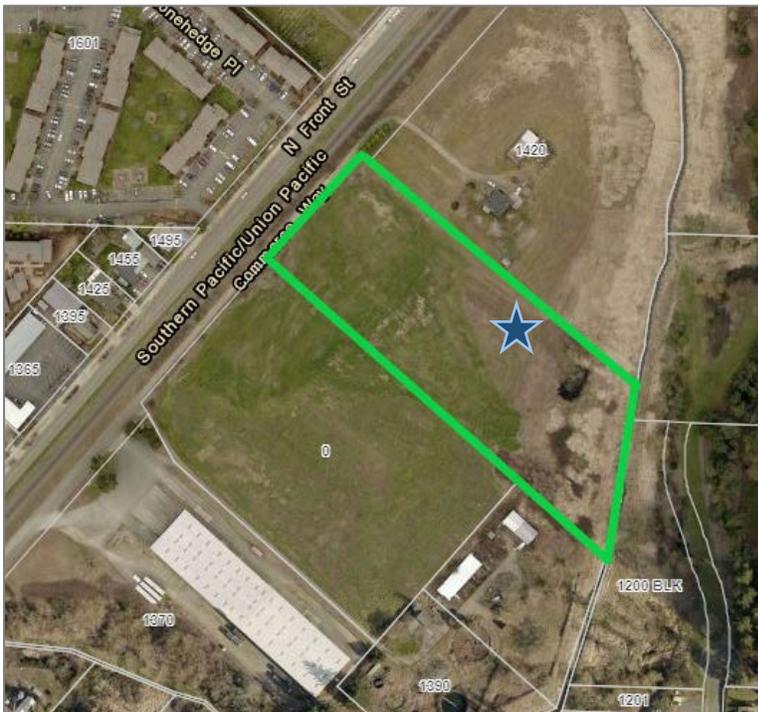
Issue before the Planning Commission

Action on a consolidated land use application, Conditional Use CU 2020-02 and Exception to Street Right of Way and Improvement Requirements (“Street Exception”) EXCP 2020-06, for the construction of a new 100-foot tall monopole telecommunications facility.

Executive Summary

The subject property, located west of Legion Park and within the Light Industrial (IL) zone, is undeveloped and does not have an assigned address.

The applicant seeks Planning Commission approval of a Conditional Use Permit to construct a new 100-foot monopole telecommunications facility on the property with minor improvements including a paved driveway and screening around the base of the tower. The application package also includes a Street Exception request to dedicate right-of-way (ROW) but maintain improvements as they exist today.



Left: Vicinity Map (subject property outlined in green, approximate monopole location indicated by the blue star).
Right: Digital rendering of the proposed monopole.

Recommendation

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and its attachments and approve the application with the conditions recommended by staff below. The conditions can also be found towards the end of the Analyses & Findings (Attachment 101).

Recommended Conditions of Approval

General

G1. The applicant or successor shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G-PW. Public Works: Prior to building permit issuance, applicant shall submit a final drainage report stamped by a Professional Engineer registered in the state of Oregon.

Conditional Use

CU-1. Per WDO 2.08.03B.10., the applicant shall revise plans as needed to illustrate a detail of the required emergency contact signage. This is due prior to building permit issuance.

CU-2. Per WDO 3.02.02A., the applicant shall dedicate a public easement on the subject property at a minimum width adequate to accommodate the 100-year floodway. This is due prior to building permit issuance.

CU-3. Per WDO Table 3.04A and Figure 3.04C, revise materials as needed to comply with acceptable turnarounds outlined in the current Oregon Fire Code.

Street Exception

EXCP-1. Prior to building permit issuance, the applicant shall dedicate to the City:

- a. Commerce Way right-of-way (ROW): Per WDO 3.01.04B and Figure 3.01F, dedicate ROW to achieve a total width of 60 feet; and
- b. Public utility easement (PUE): Per WDO 3.02.01B. and C., dedicate a 5-foot PUE on the subject property along the widened ROW.

Actions

The Planning Commission may act on the land use application to:

1. Approve per staff recommendations,
2. Approve with modified conditions, or
3. Deny, based on WDO criteria or other City provisions.

If the Planning Commission were to act upon the recommendation, staff would prepare a final decision for approval with the conditions that staff recommends.

Attachment List

101. Analyses & Findings
102. Tax Map marked
103. Transportation System Plan Figure 2
104. Site plans excerpted (submitted 8/10/2020)
105. Project Narrative (submitted 6/9/2020)
106. Statement of Code Compliance (submitted 6/9/2020)
107. RF Justification (submitted 6/9/2020)
108. ODA Determination Letter (submitted 6/9/2020)
109. Noise Study (submitted 6/9/2020)

Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
-	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> • Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met • Plan sheets and/or narrative inconsistent • Other special circumstance benefitting from attention 	Revision needed for clear and consistent records
■	Street Exception or Variance	Request to vary from requirement

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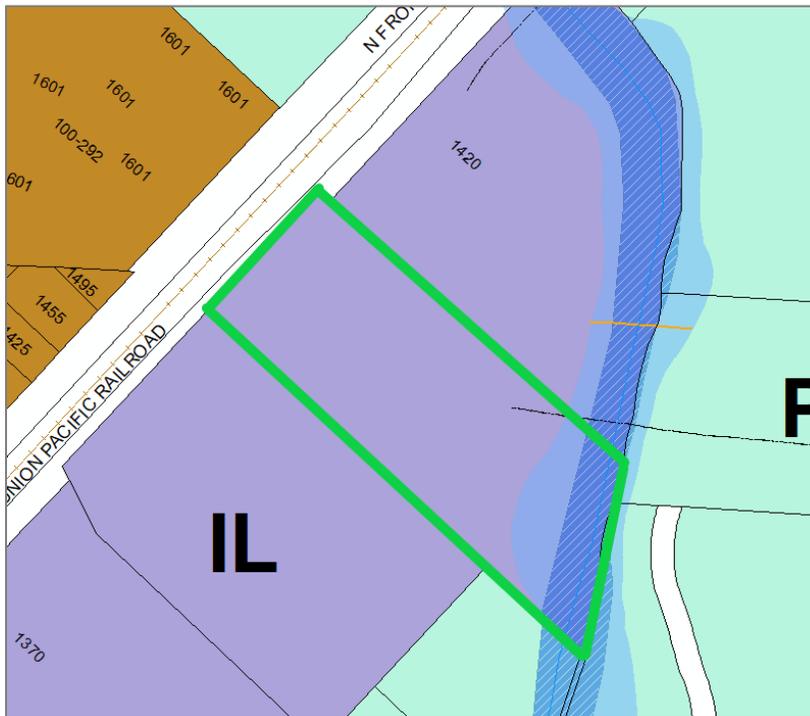
Location

<i>Address</i>	N/A; no assigned address
<i>Tax Lot(s)</i>	051W08CB05000
<i>Nearest intersection</i>	Commerce Way and E. Hardcastle Avenue

Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Industrial
<i>Zoning District</i>	Light Industrial (IL)
<i>Overlay District(s)</i>	Riparian Corridor & Wetland Overlay District (RCWOD)
<i>Existing Use(s)</i>	None; vacant / undeveloped

For context, the subject property and adjacent zoning are illustrated and tabulated below:



Zoning Map Excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	IL
East	Public/Semi-Public (P/SP)
South	Westerly: IL Easterly: P/SP
West	Railroad ROW; Medium Density Residential (RM)

Marion County Assessor Records indicate the subject property is a fraction of Lots 5 and 6 of the Ocobock's Addition to Woodburn subdivision plat recorded December 18, 1891. Staff surmises that the subject property is a legal lot of record.

Section references on the following pages are to the [Woodburn Development Ordinance \(WDO\)](#).

Statutory Dates

The application was submitted on June 9, 2020 and deemed complete as of August 18, 2020, making the 120-day decision deadline December 16, 2020.

Conditional Use Provisions

2.04 Industrial and Public Zones

A. The City of Woodburn is divided into the following industrial and public zones:

1. The Light Industrial (IL) zone, which is intended for industrial activities that include land-intensive activities;

B. Approval Types (Table 2.04A)

5. Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.

Uses Allowed in Industrial Zones Table 2.04A						
Use				Zone		
Accessory Uses (A) (P) Special Permitted Uses (S)		Conditional Uses (CU) Permitted Uses Specific		IL	IP	P/SP SWIR
C	Industrial					
22	Telecommunication facilities subject to Section 2.08.03			SCU	SCU	SCU

Light Industrial (IL) - Site Development Standards Table 2.04B		
Lot Area, Minimum (square feet)		No minimum
Lot Width, Minimum (feet)		No minimum
Lot Depth, Minimum (feet)		No minimum
Street Frontage, Minimum (feet)		No minimum
Front Setback and Setback Abutting a Street, Minimum (feet)		10 ¹
Side or Rear Setback, Minimum (feet)	Abutting P/SP zone or a residential zone or use	30
	Abutting a commercial or industrial zone	0 or 5 ²
Setback to a private access easement, Minimum (feet)		5
Lot Coverage, Maximum		Not specified ³
Building Height, Maximum (feet)	Primary or accessory structure	70
	Features not used for habitation	100
<p>1. Measured from the Special Setback (Section 3.03.02), if any.</p> <p>2. A building may be constructed at the property line, or shall be set back at least five feet.</p> <p>3. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.</p>		

The IP zone has no minimum lot size, width, depth, or street frontage, and no maximum lot coverage.

Sheet A1.0 illustrates the tower will maintain a front setback of over 400 ft, a north side setback of 70 ft, a rear setback of over 260 ft, and a south side setback of over 209 ft.

Sheet A2.0 illustrates the structure will exceed the 5-ft minimum setback to the private access easement that will be dedicated on the subject property.

Sheet A3.0 illustrates the structure is a 100-ft monopole telecommunications tower, a feature not used for habitation.

✓ The provisions are met.

2.05 Overlay Districts

2.05.05 Riparian Corridor and Wetlands Overlay District

A. Purpose

The Riparian Corridor and Wetlands Overlay District (RCWOD) is intended to conserve, protect and enhance significant riparian corridors, wetlands, and undeveloped floodplains in keeping with the goals and policies of the Comprehensive Plan. The RCWOD is further intended to protect and enhance water quality, prevent property damage during floods and storms, limit development activity in designated areas, protect native plant species, maintain and enhance fish and wildlife habitats, and conserve scenic and recreational values.

B. Boundaries of the RCWOD

1. The RCWOD includes:

- a. Riparian corridors extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and those reaches of their tributaries identified as fish-bearing perennial streams on the Woodburn Wetlands Inventory Map; and
- b. Significant wetlands identified on the Woodburn Wetlands Inventory Map. Where significant wetlands are located fully or partially within a riparian corridor, the RCWOD shall extend 50 feet from the edge of the wetland; and
- c. The 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable Lands Inventory.

2. The approximate boundaries of the RCWOD are shown on the Zoning Map. The precise boundaries for any particular lot should be verified by the property owner when making a land use application. Map errors may be corrected as provided in this Ordinance (Section 1.02.04).

The Woodburn Zoning Map illustrates the Riparian Corridor and Wetlands Overlay District (RCWOD) covering a portion of the east (rear) end of the subject property, as can be seen in the Zoning Map Excerpt on page 2 of the Analyses and Findings. The applicant submitted a wetland delineation report and Sheet A1.0 illustrates the boundaries of the RCWOD that were established through the delineation.

D. Prohibited Uses and Activities

1. New buildings or structures or impervious surfaces, except for replacement of existing structures within the original building footprint

The proposal is to construct a 100-ft monopole telecommunications facility on a 40-ft by 40-ft concrete pad, including screening around the pad and a paved driveway accessing the facility. Sheet A1.0 illustrates the location of improvements will be outside of the RCWOD boundary.

G. Site Plan

When a use or activity that requires the issuance of a building permit or approval of a land use application is proposed on a parcel within, or partially within the RCWOD, the property owner shall submit a site plan to scale showing the location of the top-of-bank, 100-year flood elevation, jurisdictional delineation of the wetland boundary approved by the Oregon Department of State Lands (if applicable), riparian setback, existing vegetation, existing and proposed site improvements, topography, and other relevant features.

The proposal requires Conditional Use approval and a building permit. Sheet A1.0 illustrates generally what this provision requires.

H. Coordination with the Department of State Lands

The Oregon Department of State Lands shall be notified in writing of all applications to the City for development activities, including applications for plan and/or zone amendments, development or building permits, as well as any development proposals by the City that may affect any wetlands, creeks or waterways.

Staff submitted a Wetland Land Use Notice to the Department of State Lands (DSL) on June 10, 2020 and received a response from DSL on July 2, 2020. The response noted a State permit might be required and recommended the applicant perform a wetland delineation and submit the report to DSL for review and approval. This information was provided to the applicant through the Incompleteness letter dated July 9, 2020 and reiterated in the Completeness letter dated August 18, 2020.

✓ The provisions are met.

2.06 Accessory Structures

2.06.01 Applicability

The following standards are applicable to accessory structures in all zones. Accessory Dwelling Units are exempt from these standards and are subject to the provisions of Section 2.07.20.

2.06.02 Fences and Walls

C. Height in Non-Residential Zones

1. In commercial, industrial, or public zones, the maximum height of a fence or wall located in a yard abutting a street shall be 6 feet, relative to the ground elevation under the fence or wall. Fence height may increase to 9 feet once flush with the building face, or 20 feet from street right-of-way.

D. Fence Materials

2. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.

Sheets A2.0 and A3.0 note a 6-ft chain link fence around the facility. The fence will be coated in green vinyl and include green privacy slats.

✓ The provisions are met.

2.07 Special Uses

None apply.

2.08 Specific Conditional Uses

2.08.01 General Provisions

A. Specific conditional uses require conditional use approval that is subject to:

1. The supplementary conditional use approval criteria specified in this Section;
2. Additional conditions of development found to be appropriate to mitigate impacts of a particular use;
3. Development standards of the underlying zone, unless the specific conditions of approval set higher standards.

B. The specific development standards for each type of conditional use listed in this Section are mandatory. Any deviation from these standards shall comply with criteria for a variance.

As identified in the analysis of Table 2.04A, telecommunications facilities are a Specific Conditional Use.

2.08.03 Telecommunications Facilities

All telecommunication facilities shall be regulated by the provisions of this Section of the Woodburn Development Ordinance (WDO). In the event of any conflict between this and other sections of the WDO, the most restrictive provisions shall control.

B. Standards of Approval

1. All new telecommunications facilities shall be located on a property of sufficient size to comply with the following:
 - a. A setback from all property lines to the tower, which is at least two-thirds the tower height. This standard shall not apply to collocated telecommunications facilities.
 - b. A tower pad large enough to allow for additional collocated and ancillary facilities. The tower or towers shall be located centrally on this pad. This standard shall not apply to antenna(e) attached to existing structures or towers located on rooftops.
 - c. Protection to adjoining property from the potential impact of tower failure and ice falling from the tower. A registered structural engineer's analysis shall be submitted that demonstrates that the site and facility adequately accommodate measures to mitigate these hazards.
 - d. Separation from pre-existing towers. Tower separation shall be measured by following a straight line from the base of the proposed tower to the base of any pre-existing tower. Minimum separation distances shall be as indicated in Table 2.204A.

Minimum Separation Among Telecommunication Facilities				
Table 2.08A				
	Lattice Tower	Guyed Tower	Monopole 80 or more feet in	Monopole less than 80 feet in
Lattice Tower	500 feet	500 feet	150 feet	75 feet
Guyed Tower	500 feet	500 feet	150 feet	75 feet
Monopole 80 or more feet in height	150 feet	150 feet	150 feet	75 feet
Monopole less than 80 feet in height	75 feet	75 feet	75 feet	

The proposed telecommunications facility is a 100-ft tall monopole, thus requiring a 66.6-ft setback to all property lines. Sheet A1.0 illustrates the tower will maintain a front setback of over 400 ft, a north side setback of 70 ft, a rear setback of over 260 ft, and a south side setback of over 209 ft.

The Statement of Code Compliance (Attachment 106) notes the tower pad has been designed for additional collocated and ancillary facilities, and the tower will be centrally located on the pad. Sheet A2.0 illustrates these items.

The applicant indicates the structural analysis report will be submitted as part of the building permit application.

There are no towers within 150 ft of the proposed monopole's location.

✓ The provisions are met.

2. Collocation

a. Before a proposal for a new transmission tower is considered, an applicant shall exhaust all collocation options, including placement of antennae on existing tall structures and multiple antennae or attachments on a single tower. In cases where an existing tower is modified or rebuilt to a taller height to allow collocation, such change may only occur one time per communication tower site and may only occur when the modification or rebuild request has been initiated by a separate exchange carrier.

b. New telecommunication facilities shall be constructed so as to accommodate future collocation, based upon expected demand for transmission towers in the service area. Towers shall be designed so as to accommodate a minimum expansion of three two-way antennae for every 40 vertical feet of tower.

The Project Narrative (Attachment 105) and the RF Justification analysis (Attachment 107) outline the applicant's consideration of and analysis relating to all collocation options. The Statement of Code Compliance notes the applicant accepts the requirement to account for future collocation and Sheet A3.0 illustrates conformance.

✓ The provisions are met.

4. Height: New telecommunication facilities shall not exceed the height limits established by the underlying zone.

Sheet A3.0 illustrates the structure is a 100-ft monopole telecommunications tower, a feature not used for habitation. Table 2.04B allows such features up to 100 ft tall.

✓ The provision is met.

5. Visual Impact: The applicant shall demonstrate that the tower will have the smallest practicable visual impact on the environment, considering technical, engineering, economic and other pertinent factors.

a. The height and mass of the transmission tower shall not exceed that which is essential for its intended use and public safety, as demonstrated in a report prepared by a registered structural engineer.

b. Towers 100 feet or less in height shall be painted, in order to best camouflage the tower with regard to compatibility with surrounding objects and colors. Unless towers are otherwise disguised or collocated, towers shall be camouflaged as trees whenever structurally possible.

The Statement of Code Compliance indicates the structural analysis report will be submitted with the building permit application. Sheet A3.0 notes the proposed 100-ft monopole will be painted non-reflective green.

✓ The provisions are met.

6. Accessory Uses: Accessory uses shall include only buildings and facilities that are necessary for transmission functions and associated satellite ground stations, and shall not include broadcast studios (except emergency broadcast), offices, vehicular storage areas, or other similar uses not necessary for the transmission or relay functions. No unenclosed storage of materials is allowed.

The Statement of Code Compliance does not propose any accessory uses or unenclosed storage of materials. The proposal includes the monopole, a pre-manufactured equipment cabinet, and a diesel generator all installed on the concrete pad.

✓ The provision is met.

7. Lighting: No lighting shall be permitted on transmission towers, except that required by the Oregon State Aeronautics Division or Federal Aviation Administration. This standard shall not prevent shared use or replacement of an existing light pole. For collocation on existing or replaced light poles the transmission tower shall have no net increase to the spread, intensity or direction of the existing light source.

The Oregon Department of Aviation Determination letter (Attachment 108) does not require any lighting. No lighting is proposed.

✓ The provision is met.

8. Noise: Noise generated by equipment shall be sound-buffered by means of baffling, barriers, or other suitable means, to reduce the sound level measured at the property line to 30 dBA when adjacent to residential uses and 45 dBA in other areas.

The Noise Study (Attachment 109) outlines the sound mitigation measures that will be implemented to meet this requirement. This includes a noise barrier installed to the fence.

✓ The provision is met.

9. Fences and Landscaping:

a. The tower(s) and ancillary facilities shall be enclosed by a six foot fence meeting the requirement of the WDO. Chain link fences, when allowed, shall have a green vinyl coating. Where a six foot fence in sound condition already exists on a side or sides of the tower pad area, fencing requirements may be waived for that side.

b. Landscaping shall be placed outside of fences and shall consist of fast-growing vegetation, with a minimum planted height of six feet, placed densely so as to form a solid hedge.

c. Landscaping and fencing shall be compatible with other nearby landscaping and fencing.

Sheets L1.0, A2.0, and A3.0 illustrate a 6-ft chain link fence with green vinyl coating and green privacy slats around the facility as well as 6-ft arborvitae shrubbery planted around the outside of the fence.

✓ The provisions are met.

10. Signs: One unilluminated sign, not to exceed two square feet in area, which states the contact name and phone number for emergency purposes shall be provided at the main entrance to the facility. Signs shall not be placed on towers and antennae.

The Statement of Code Compliance acknowledges this requirement and states the applicant's intent to meet it. Staff adds *Condition of Approval CU-1* to add to the drawings a detail of this required sign.

▲ The provision is met with *Condition CU-1*.

3.01 Streets

3.01.01 Applicability

A. Right-of-way standards apply to all public streets.

B. Improvement standards apply to all public and private streets, sidewalks and bikeways.

C. Functional standards are identified in the Woodburn TSP.

D. This applies to all development, and is not limited to partitions, subdivisions, multi-family, commercial or industrial construction, or establishment of a manufactured dwelling or recreational vehicle park. Construction of a single-family dwelling or placement of a manufactured dwelling does not, for the purposes of this Section, constitute development, however, in no case can this type of development occur without minimal access as determined by the Director.

1.02 "Development": A building or grading operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, partitioning or subdividing land, or the creation or termination of an access right.

The subject property is currently undeveloped and has frontage along Commerce Way, a public street. The proposal includes the industrial construction of a new 100-ft monopole telecommunications facility with paved driveway, which constitutes a material change in the use or appearance of the property.

3.01.02 General Provisions

A. No development shall be approved, or access permit issued, unless the internal streets, boundary streets and connecting streets are constructed to at least the minimum standards set forth in this Section, or are required to be so constructed as a condition of approval.

D. The standards of this Section may be modified, subject to approval of an Exception to Street Right-of-Way and Improvement Requirements.

As noted previously for the analysis of 3.01.01, the proposal constitutes “development” therefore these provisions are applicable. The proposal must meet the standard requirements or pursue an Exception to Street Right-of-Way and Improvement Requirements (“Street Exception”; EXCP).

Pursuant to subsection D., the applicant opted to apply for a Street Exception, which is a discretionary land use application akin to a variance, a common land use application type across the United States, and is specific to street improvements.

The Project Narrative and Statement of Code Compliance documents outline the applicant’s request to dispense with the applicable right-of-way (ROW) and improvement standards, essentially maintaining the existing ROW width and substandard ROW improvements, that is, the existing gravel road.

3.01.03 Improvements Required for Development

A. With development, the Internal, Boundary, and Connecting streets shall be constructed to at least the minimum standards set forth below.

C. Boundary Streets

The minimum improvements for a Boundary Street shall be:

- 1. One paved 11-foot travel lane in each direction;**
- 2. On-street parking on the side of the street abutting the development, if on-street parking is indicated in the TSP;**
- 3. Curb on the side of the street abutting the development;**
- 4. Drainage facilities on the side of the street abutting the development;**
- 5. Street trees on the side of the street abutting the development; and**
- 6. A sidewalk on the side of the street abutting the development.**

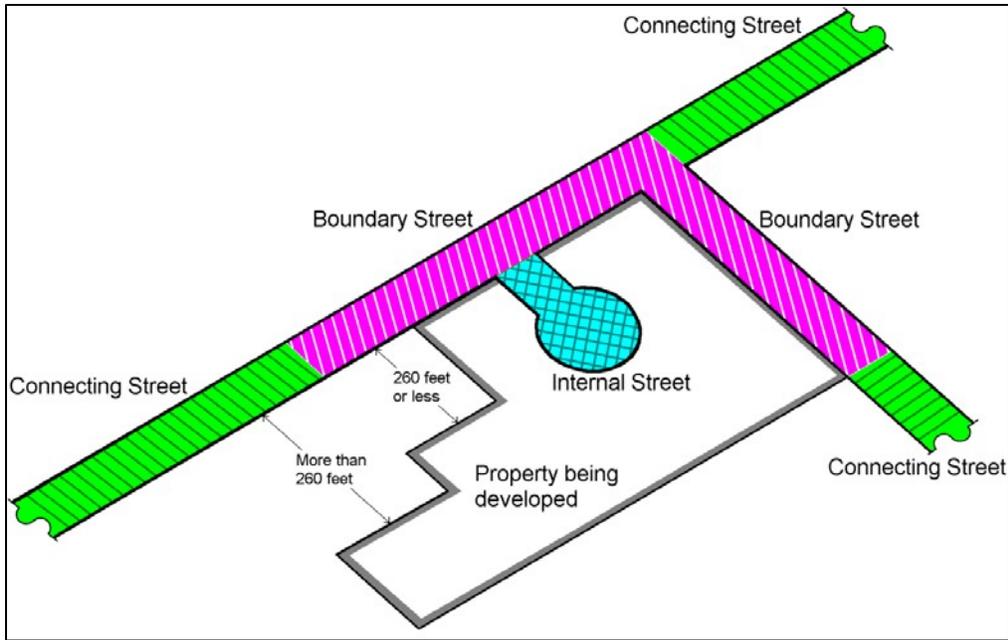


Figure 3.01A – Internal, Boundary, and Connecting Streets

3.01.04 Street Cross-Sections

A. These standards are based on the functional classification of each street as shown in the Woodburn TSP. The street right-of-way and improvement standards minimize the amount of pavement and right-of-way required for each street classification, consistent with the operational needs of each facility, including requirements for pedestrians, bicycles, and public facilities.

B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section.

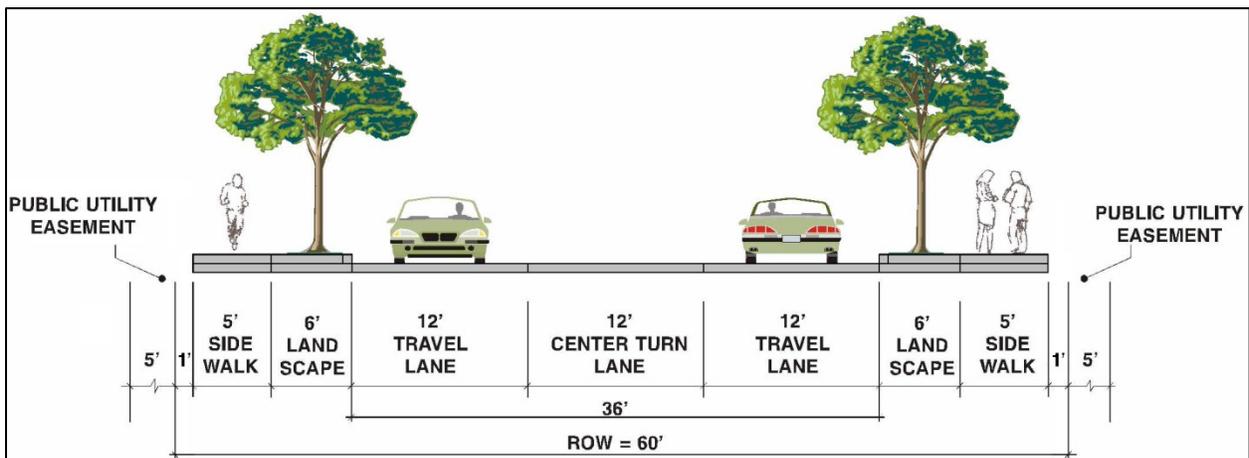


Figure 3.01F – Local Industrial Street

Commerce Way is classified as a Local street by the Transportation System Plan (TSP). Because the properties abutting Commerce Way are almost entirely zoned IL, Figure 3.01F is the applicable cross-section.

Existing conditions of Commerce Way include an estimated 25 ft of ROW (based on the County Assessor Tax Map) and a 12-ft gravel road. No paved travel lanes or center turn lane exist, no curb or drainage facilities exists, and no street trees or sidewalk exist. Additionally, City records do not indicate a 5-ft public utility easement (PUE) exists along the frontage.

Because the applicant included a Street Exception request, further analysis and findings are discussed under the Street Exception provisions.

■ Street Exception: Staff addresses the Commerce Way frontage improvements further under the Street Exception provisions.

3.02 Utilities & Easements

3.02.01 Public Utility Easements

B. A five-foot wide public utility easement shall be dedicated along each lot line abutting a public street.

C. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, or Planned Unit Developments (PUDs), the Director may require dedication of public utility easements.

Sheets LS-1 and A1.0 illustrate a 5-ft PUE will be dedicated along the widened ROW as part of this proposal. The Project Narrative and Statement of Code Compliance documents request through the Street Exception to remove this requirement.

■ Street Exception: Staff addresses the PUE requirements further under the Street Exception provisions.

3.02.02 Creeks and Watercourse Maintenance Easements

A. Public improvement and maintenance easements shall be dedicated along all creeks and other water courses. On streams and waterways where development is regulated, based on Federal Emergency Management Administration (FEMA) flood hazard delineation, the minimum width shall be adequate to accommodate the 100-year floodway.

Mill Creek runs along the subject property's east property line and a portion of the property falls within the 100-year floodway, as illustrated by the applicant's Wetland Delineation Report. Sheets LS-1 and A1.0 illustrate a general public purpose easement will be dedicated over this area. The Project Narrative and Statement of Code Compliance request to remove this requirement through the Street Exception; because this easement is not related to ROW improvements / street improvements, the Street Exception cannot grant the request.

Staff therefore applies *Condition of Approval CU-2* to confirm dedication of a public general purpose easement over the portion of the 100-year floodway covering the subject property. The dedication of this easement is due prior to building permit issuance.

▲ The provision is met with *Condition CU-2*.

3.02.03 Street Lighting

A. Public Streets

Public streets abutting a development shall be illuminated with street lights installed to the standards of the City and the electric utility.

The Project Narrative and Statement of Code Compliance documents request through the Street Exception to remove this requirement.

■ Street Exception: Staff addresses the street lighting requirements further under the Street Exception provisions.

3.02.04 Underground Utilities

All permanent utility service to and within a development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist.

As noted in the Statement of Code Compliance and illustrated on Sheet A1.0, the power and telecommunications utilities serving the proposal will be underground.

✓ The provision is met.

3.03 Setbacks and Open Space

The proposal complies with setbacks and does not encroach into vision clearance areas.

✓ The provisions are met.

3.04 Vehicular Access

3.04.01 Applicability and Permit

A. Street Access

Every lot shall have:

1. Direct access to an abutting public street, or

The subject property abuts Commerce Way, a public street.

✓ The provision is met.

3.04.03 Driveway Guidelines and Standards

A. Number of Driveways

3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:

a. The function classification of abutting streets;

b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;

c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.

Access Requirements Table 3.04A		
		Commercial or Industrial Use
Paved Width of Driveway (feet) ^{3,4}	1-way	12 minimum 20 maximum
Curb Flare Radius (feet)		30 minimum
Throat Length (feet)		20 minimum
Turnarounds (See Figure 3.04C)		Requirements per the Woodburn Fire District
<p>3. Driveways over 40 feet long and serving one dwelling unit may have a paved surface 12 feet wide.</p> <p>4. Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).</p>		

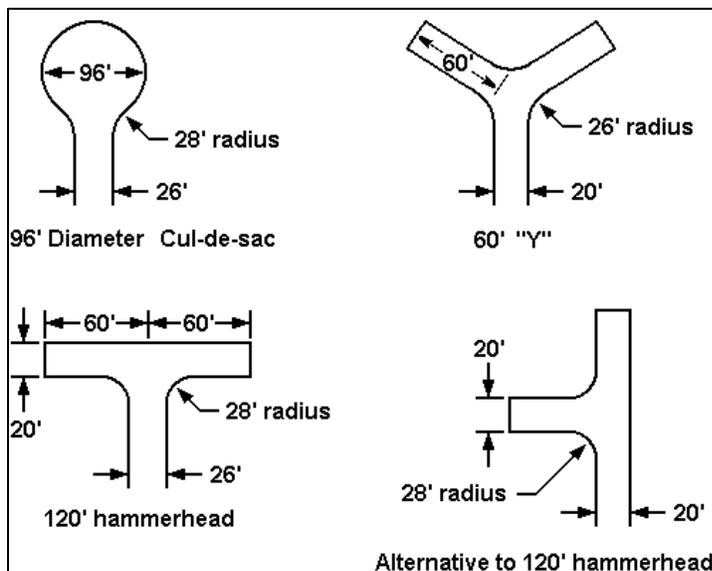


Figure 3.04C – Acceptable Turnarounds (from Oregon Fire Code Figure D103.1)

3.04.04 Improvement Standards

The portion of a driveway on private property shall be paved with:

- A. Portland cement concrete to a minimum depth of six inches, or
- B. Asphalt concrete to a minimum depth of two inches, or
- C. Brick or pavers with a minimum depth of two and one-fourth inches.

Sheet A1.0 illustrates the proposal includes a single 12-ft driveway paved with asphalt concrete. The driveway incorporates a hammerhead turnaround as illustrated on Sheet A2.0 however the legs of the turnaround are noted to be 12 ft wide instead of 20 ft. Staff therefore adds *Condition of Approval CU-3* to conform to Oregon Fire Code turnaround requirements.

▲ The provision is met with *Condition CU-3*.

3.04.05 Traffic Impact Analysis

A. A Traffic Impact Analysis (TIA) may be required by the Director prior to the approval of a City access permit when the Director estimates a development proposal may generate either 100 or more additional, peak hour trips, or 1,000 or more additional daily trips, within ten years of a development application.

The Project Narrative and Statement of Code Compliance documents indicate the proposal would generate one trip per month on average.

⊖ The provision is not applicable.

3.05 Off-Street Parking and Loading

3.05.01 Applicability

The provisions of this Section shall apply to the following types of development:

A. All requirements and standards of Section 3.05 shall apply to any new building or structure constructed after the effective date of the Woodburn Development Ordinance (WDO).

3.05.02 General Provisions

3.05.03 Off-Street Parking

Off-Street Parking Ratio Standards Table 3.05A	
Use¹	Parking Ratio - spaces per activity unit or square feet of gross floor area
INDUSTRIAL	
64. Telecommunications facilities	Exempt from parking requirements
<p>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</p>	

The proposal includes a new structure constructed after the adoption of the WDO however Table 3.05A indicates telecommunications facilities are exempt from parking requirements therefore the provisions are not applicable.

⊖ The provisions are not applicable.

3.06 Landscaping

3.06.01 Applicability

A. To the site area for all new or expanded non-residential development, parking and storage areas for equipment, materials and vehicles.

The proposal includes new non-residential development however landscaping and screening requirements for telecommunications facilities are outlined in 2.08.03B. The remaining provisions are not applicable, except those for street trees.

⊖ The provisions are not applicable, except those for street trees.

3.06.03 Landscaping Standards

A. Street Trees

Within the public street right-of-way abutting a development, street trees shall be planted to City standards, prior to final occupancy.

1. One tree per every entire 50 feet of street frontage shall be planted within the right-of-way, subject to vision clearance area standards and placement of public utilities.
2. Street trees shall be planted according to the property's zoning, and the abutting street's classification in the Transportation System Plan:
- c. Small trees shall be planted along all other streets.

Plant Unit (PU) Value Table		
3.06B		
Material	Plant Unit (PU) Value	Minimum Size
4. Small tree (18-40 feet high at maturity) ¹	4 PU each	10' Height or 2" Caliper
1. Existing vegetation that is retained has the same plant unit value as planted vegetation.		

The subject property has approximately 280 ft of frontage along Commerce Way, equating to five required street trees. Commerce Way is classified as a Local street therefore small trees are required. The Project Narrative and Statement of Code Compliance documents request through the Street Exception to remove this requirement.

■ Street Exception: Staff addresses the street tree requirements further under the Street Exception provisions.

3.07 Architectural Design

3.07.01 Applicability of Architectural Design Standards and Guidelines

A. For a Type I review, the criteria of this Section shall be read as "shall" and shall be applied as standards. For a Type II or III review, the criteria of this Section shall be read as "should" and shall be applied as guidelines.

3.07.10 Industrial Zones

The proposal is a Type III review consisting of Conditional Use Permit and Street Exception. The criteria of this section are therefore applied as guidelines.

The proposal is for a 100-ft monopole telecommunications facility and does not include any new buildings, loading zones, or outdoor lighting. Additional design standards for such facilities are outlined in 2.08.03B.

✓ The requirements are met.

3.08 Partitions and Subdivisions

- The proposal does not include a partition or subdivision.

3.09 Planned Unit Developments

- The proposal does not include a planned unit development.

3.10 Signs

- The proposal does not include any signage that would require a sign permit.

5.03.01 Conditional Use

A. Purpose: A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

B. Criteria:

- 1. The proposed use shall be permitted as a conditional use within the zoning district.**
- 2. The proposed use shall comply with the development standards of the zoning district.**

The proposal is a new 100-ft monopole telecommunications facility in the IL zone, a Specific Conditional Use per Table 2.04A. The public hearing is scheduled for the September 10, 2020 Planning Commission meeting. As outlined in the analysis for 2.04 and Table 2.04B, the proposal meets development standards for the IL zone.

3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;**
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;**
- c. The impact of the proposed use on the quality of the living environment:**
 - 1) Noise;**
 - 2) Illumination;**
 - 3) Hours of operation;**
 - 4) Air quality;**
 - 5) Aesthetics; and**
 - 6) Vehicular traffic.**
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and**
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.**

The proposal occupies a portion of the subject property, sited outside of the RCWOD and in a way to allow for further development of the site. The RF Justification report outlines the applicant's methodology used to finalize this site as the ideal location. Additionally, although

the WDO classifies them as Specific Conditional Uses in industrial zones, telecommunications facilities are not allowed in any capacity in residential zones, commercial zones, nor the Public/Semi-Public zone.

The proposal will not use public water or sewer utilities. Stormwater impacts will primarily come from the paved driveway, which will utilize a drainage ditch along its south side to convey stormwater to the ROW. The proposed use is noted to generate one vehicle trip per month on average and no pedestrian trips.

Impacts from noise and illumination are addressed through the provisions of 2.08.03B. The proposal is a monopole telecommunications facility and does not have hours of operation the same way a business would; site visits would be maintenance related and would occur during normal business hours. The provisions of 2.08.03B. address aesthetics of the facility including color of the monopole and landscape screening around the base. Vehicular traffic is approximated to be one trip per month on average.

The proposal does not conflict with the Comprehensive Plan, which does not delve into the specific topic of telecommunications facilities.

✓ The requirements are met.

5.03.11 Telecommunications Facility, Specific Conditional Use

A. Purpose: The purpose of this Type III review is to provide a procedure to consider the siting of telecommunication facilities subject to the standards of this Ordinance (Sections 2 and 3).

B. Criteria:

- 1. The proposed use shall be listed as an allowed conditional use within the zoning district.**
- 2. The proposed use shall comply with the development standards of the zoning district.**
- 3. The proposed use shall be compatible with the surrounding properties. Relevant factors to be considered in determining whether the proposed use is compatible include:**
 - a. The suitability of the size, shape, location and topography of the site for the proposed use;**
 - b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;**
 - c. The impact of the proposed use on the quality of the living environment:**
 - 1) Noise;**
 - 2) Illumination;**
 - 3) Hours of operation;**
 - 4) Air quality;**
 - 5) Aesthetics; and**
 - 6) Vehicular traffic.**
- 4. The conformance of the proposed use with applicable Comprehensive Plan policies; and**
- 5. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.**
- 6. The specific standards and criteria this ordinance (Section 2.08.03) shall be met.**

The proposal is a new 100-ft monopole telecommunications facility in the IL zone, a Specific Conditional Use per Table 2.04A. As outlined in the analysis for 2.04 and Table 2.04B, the proposal meets development standards for the IL zone.

The proposal occupies a portion of the subject property, sited outside of the RCWOD and in a way to allow for further development of the site. The RF Justification report outlines the applicant's methodology used to finalize this site as the ideal location. Additionally, although the WDO classifies them as Specific Conditional Uses in industrial zones, telecommunications facilities are not allowed in any capacity in residential zones, commercial zones, nor the Public/Semi-Public zone.

The proposal will not use public water or sewer utilities. Stormwater impacts will primarily come from the paved driveway, which will utilize a drainage ditch along its south side to convey stormwater to the ROW. The proposed use is noted to generate one vehicle trip per month on average and no pedestrian trips.

Impacts from noise and illumination are addressed through the provisions of 2.08.03B. The proposal is an unmanned monopole telecommunications facility and does not have hours of operation the same way a business would; site visits would be maintenance related and would occur during normal business hours. The provisions of 2.08.03B. address aesthetics of the facility including color of the monopole and landscape screening around the base. Vehicular traffic is approximated to be one trip per month on average.

The proposal does not conflict with the Comprehensive Plan, which does not delve into the specific topic of telecommunications facilities.

The provisions of 2.08.03 were shown to be met with *Condition of Approval CU-1*.

✓ The requirements are met with *Condition CU-1*.

Street Exception Provisions

5.03.03 Exception to Street Right of Way and Improvement Requirements

A. Purpose: The purpose of a Type III Exception is to allow a deviation from the development standard required for the functional classification of the street identified in the Transportation System Plan.

Street exceptions are processed in conjunction with a development proposal that is a Type III application.

B. Criteria:

1. The estimated extent, on a quantitative basis, to which the rights of way and improvements will be used by persons served by the building or development, whether the use is for safety or convenience;

2. The estimated level, on a quantitative basis, of rights of way and improvements needed to meet the estimated extent of use by persons served by the building or development;

3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights of way and improvements will be a part; and

4. The estimated level, on a quantitative basis, of rights of way and improvements needed to mitigate the estimated impact on the public infrastructure system.

C. Proportionate Reduction in Standards: An exception to reduce a street right of way or cross-section requirement below the functional classification standard may be approved when a lesser standard is justified based on the nature and extent of the impacts of the proposed development. No exception may be granted from applicable construction specifications.

D. Minimum Standards: To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, there are minimum standards for right of way and improvement that must be provided to meet the standards of this Ordinance (Section 3.01). Deviation from these minimum standards may only be considered by a variance procedure.

The parent application is the Conditional Use Permit, which is a Type III application. Pursuant to 5.03.03A. and 4.01.07, the submitted Street Exception request is therefore a Type III application as well.

Existing Conditions

The subject property abuts Commerce Way, a public street. Existing conditions for Commerce Way along the frontage of the subject property include an estimated 25-ft ROW width and a 12-ft gravel road.

The gravel road begins roughly at the northern extent of frontage of 1370 Commerce Way (Tax Lot 051W07DA00200) and extends northeasterly beyond the subject property, turning into a driveway for 1420 Commerce Way (Tax Lot 051W08CB04900). Commerce Way ROW extends further north beyond the gravel road to Tax Lot 051W08BC00601 (City-owned property with no assigned address).



Left: Commerce Way as it transitions from improved street to gravel road.

Right: The gravel road in front of the subject property.

Photos taken by staff on 9/2/2020

Context for Requiring Improvements

The state of Oregon has Statewide Planning Goals.

[Goal 12, Transportation](#), is "to provide and encourage a safe, convenient and economic transportation, system." Guideline B, Implementation, item 1 states, "The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development."

The legislature charges the Oregon Department of Land Conservation and Development (DLCD) with rulemaking that administers Goal 12. [Oregon Administrative Rules \(OAR\) 660-012](#) is the applicable rule set:

660-012-0000 Purpose (1) This division implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development. The purpose of this division is to direct transportation planning in coordination with land use planning to:

...

(f) Provide for the construction and implementation of transportation facilities, improvements and services necessary to support acknowledged comprehensive plans;

...

(4) This division sets requirements for coordination among affected levels of government and transportation service providers for preparation, adoption, refinement, implementation and amendment of transportation system plans. Transportation system plans adopted pursuant to this division fulfill the requirements for public facilities required under ORS 197.712(2)(e), Goal 11 and chapter 660, division 11, as they relate to transportation facilities. The rules in this division are not intended to make local government determinations "land use decisions" under ORS

197.015(10). The rules recognize, however, that under existing statutory and case law, many determinations relating to the adoption and implementation of transportation plans will be land use decisions.

The City of Woodburn has a legally binding comprehensive plan acknowledged by the state of Oregon through DLCD. The subject property is within both the Woodburn urban growth boundary (UGB) that the comprehensive plan delineates and within City limits.

The City has a [Transportation System Plan \(TSP\)](#) acknowledged as an element of the comprehensive plan by the state of Oregon through DLCD following the September 23, 2019 adoption by the City Council of the 2019 major update of the 2005 TSP via Legislative Amendment LA 2018-01 as Ordinance No. 2575.

One of the functions of the TSP, through its [Figure 2](#), is functional roadway classification. The figure classifies Commerce Way, which the subject property abuts, as a local street. Based on this classification, the City applies from WDO 3.01 a local class standard street cross-section that establishes total ROW width and the kind and width of basic improvements constituting a street.

In summary, WDO 3.01 establishes that “development” as defined in 1.02 shall dedicate deficit of planned ROW and construct half-street improvements to ROW. The proposal meets the broad definition of development, which is “A building or grading operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, partitioning or subdividing land, or the creation or termination of an access right.”

Additionally, it is common for cities across the United States to require a greater degree of street improvements than rural or unincorporated areas, including greater widths of ROW, travel way and sidewalk pavement, street trees, curbing, and stormwater facilities.

Standard Requirements

As noted in the analysis of 3.01.01, the proposal constitutes “development” as defined in 1.02. Per 3.01.03 and Figure 3.01A, the Boundary Street and Connecting Street requirements apply. The portion of Commerce Way abutting the subject property is the Boundary Street (the pink line in the image on the following page), while the portion of Commerce Way connecting the boundary street to existing paved travel lanes is the Connecting Street (the green line in the image on the following page).



Conceptual representation of Boundary and Connecting Streets, subject property outlined in blue. (Marion County Assessor's Property Records, GIS Interactive Viewer, 2019 aerial imagery)

Standard ROW and improvement requirements for the Boundary Street include:

- 60-ft ROW width per Figure 3.01F,
- One 11-ft paved travel lane in each direction (22 ft total paved travel way minimum as part of a "half-street"),
- Curb on the southeast side of the street,
- Drainage facilities on the southeast side of the street,
- 5 street trees within a 6-ft landscape strip on the southeast side of the street per 3.06.03A. and Figure 3.01F, and
- A 5-ft sidewalk on the southeast side of the street per Figure 3.01F.

Note that the west side of the ROW is occupied by a railroad. Because the City does not have a mechanism to exact ROW from a railroad, and it is Public Works Department policy, the entire deficit must be dedicated on the east side.

Standard ROW and improvement requirements for the Connecting Street include one paved 11-ft travel lane in each direction (22 ft total paved travel way minimum).

Street Exception Request

The Statement of Code Compliance (page 16) states:

AT&T has submitted with its CUP application a Type III Exception to the Street Right-of-Way Improvements Requirements for an exemption from the minimum improvements for a Boundary Street in Section 3.01.02.D pursuant to this Section and established case law. Please see the additional discussion of AT&T's request for this exception in Attachment 1—Project Narrative.

And continues later on the same page:

The proposal is for an unmanned wireless telecommunication facility that will be visited by a cellular technician once per month, on average, for regular or emergency maintenance.

This can be summarized into a request to remove the following requirements:

- ROW dedication to achieve 60-ft total width for Commerce Way, a local class street;
- 5-ft PUE dedication on the subject property along the widened ROW;
- Physical ROW improvements including paved travel lanes, curb, drainage facilities, street trees, sidewalk, and street lights.

Through reviewing the Statement of Code Compliance, it appears to staff that the applicant does not consider the Connecting Streets provisions of 3.01.03D. as applicable to the proposal. As reviewed above, the Connecting Streets provisions do apply and staff surmises that the applicant would have included in their Street Exception a request to remove these requirements if the applicant was aware of this.

Discussion

Staff generally concurs with the applicant and acknowledges the low anticipated transportation demand generated by the proposed use as part of the development of a smaller area of the larger subject property. Staff therefore supports the applicant's request to not require physical improvements to the ROW as outlined in 3.01.03, 3.01.04, and Figure 3.01F.

Staff is recommending *Condition of Approval EXCP-1* to require dedication of Commerce Way ROW to achieve 60-ft width along the frontage of the subject property and a 5-ft PUE along the widened ROW.

Woodburn's Comprehensive Plan Goal H-2 pursues a street system developed to accommodate existing and future traffic demands throughout the City, and Policy H-2.1 compels staff to ensure that new development is consistent with the City's TSP functional classification plan (Figure 2). The TSP directs the City to apply the cross-sections outlined in WDO 3.01.04 to new development applications as the means of implementing the TSP. The City therefore has an obligation to consider both the current and future transportation needs when reviewing development applications.

As outlined through this staff report, the proposal is considered “development” by the WDO and must receive approval of a Conditional Use Permit in order to proceed. Additionally, in terms of process, the City passed Ordinance 2580 on April 13, 2020 to bring certain telecommunications facilities back into the purview of the City’s Building Division, which requires this proposal to apply for and obtain a building permit after obtaining Conditional Use Permit approval.

By leasing a portion of the property to AT&T for purposes of constructing a monopole telecommunications facility, the property owner is developing and using a subarea of the undeveloped subject property for economic gain.

Taking into account the low anticipated transportation demand generated by the proposal, dedications of ROW and a 5-ft PUE are the minimum improvements necessary for the City to balance the Street Exception request with the transportation needs along Commerce Way.

The subject property is undeveloped industrial land and further development should be expected in the future. ROW improvements are one factor that contribute to making land more developable. Acquisition of the ROW and PUE allows construction of improvements if and when the landowner develops the remainder of the subject property, or, were the City Council to decide to do so, as part of a City capital improvement project.

In closing, staff considers the dedication of ROW and PUE to be fair, equitable, and proportional to the proposed development. The standard improvements to the ROW are not required and resulting costs to the applicant are minimal.

▲ The provisions are met with *Condition EXCP-1*.

Recommended Conditions of Approval

General

G1. The applicant or successor shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G-PW. Public Works: Prior to building permit issuance, applicant shall submit a final drainage report stamped by a Professional Engineer registered in the state of Oregon.

Conditional Use

CU-1. Per WDO 2.08.03B.10., the applicant shall revise plans as needed to illustrate a detail of the required emergency contact signage. This is due prior to building permit issuance.

CU-2. Per WDO 3.02.02A., the applicant shall dedicate a public easement on the subject property at a minimum width adequate to accommodate the 100-year floodway. This is due prior to building permit issuance.

CU-3. Per WDO Table 3.04A and Figure 3.04C, revise materials as needed to comply with acceptable turnarounds outlined in the current Oregon Fire Code.

Street Exception

EXCP-1. Prior to building permit issuance, the applicant shall dedicate to the City:

- a. Commerce Way right-of-way (ROW): Per WDO 3.01.04B and Figure 3.01F, dedicate ROW to achieve a total width of 60 feet; and
- b. Public utility easement (PUE): Per WDO 3.02.01B. and C., dedicate a 5-foot PUE on the subject property along the widened ROW.

Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

1. Recordations: Dedications of ROWs and PUEs involve recordations with Marion County. The applicant (or applicant's surveyor) would need to:
 - a. Prior to recordation with the County, follow City Public Works Department review and dedication process as directed by the City Engineer or higher authority, including the use of Public Works document templates;
 - b. Submit a draft copy of the ROW dedications and easements, including text and drawing(s), to the attention of both the Director and City Engineer for their reviews and directions. Easement text should contain references to "City of Woodburn Conditional Use CU 2020-02", "AT&T Cell Tower", street address, and tax lot number. Submit through the Planning Division both Adobe PDF and written copies under a cover or transmittal letter providing project context, including land use / planning / zoning case file numbers, street address, tax lot number, and project name and an explanation of the purpose of the submittal; and
 - c. Record dedications and submit proof of recordation prior to building permit issuance.
2. Records: Staff recommends that the applicant retain a copy of the subject approval.
3. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department.
4. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
5. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.

6. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current Public Works construction specifications, Standard Drawings, Standard Details, and General Conditions.
7. Franchises: The applicant provides for the installation of all franchised utilities and any required easements.
8. Fire: Fire protection requirements must comply with current fire codes and the Woodburn Fire District standards and requirements.
9. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.

05 1W 08CB WOODBURN



MARION COUNTY, OREGON
NW1/4 SW1/4 SEC8 T5S R1W W.M.
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary
 - Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor.
 - ⊙ DLC Corner
 - ⊕ 1/4 Section Cor.
 - ⊕ Section Corner
 - 16 15
 - 21 22

NUMBERS
Tax Code Number
000 00 00 0
Acreage 0.25 AC All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



ATTACHMENT 102

CANCELLED NUMBERS	
500	
600	
2500	
2600	
2800	
2900	
3200	
3300	
4100	
4200	
4300	

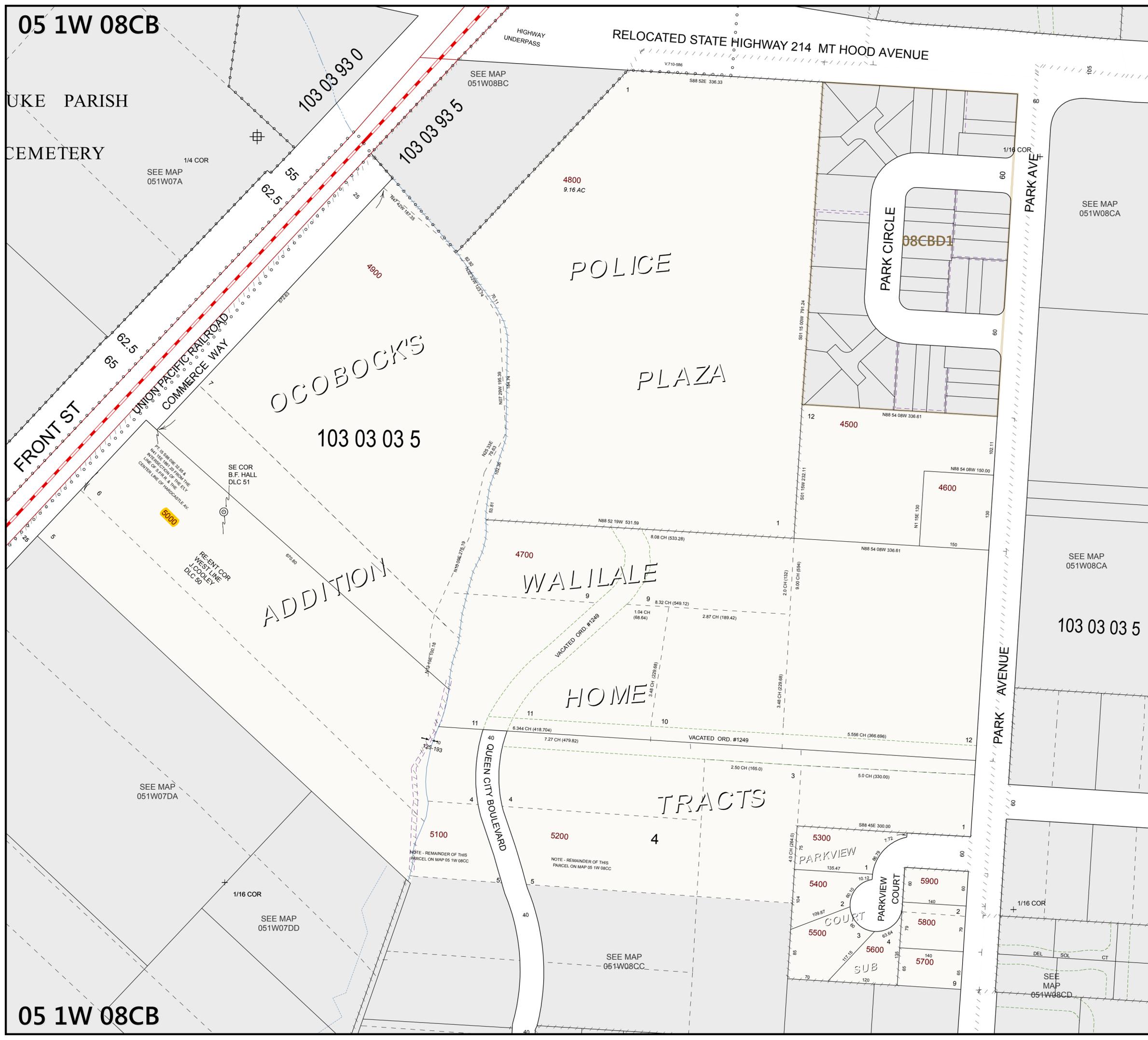
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

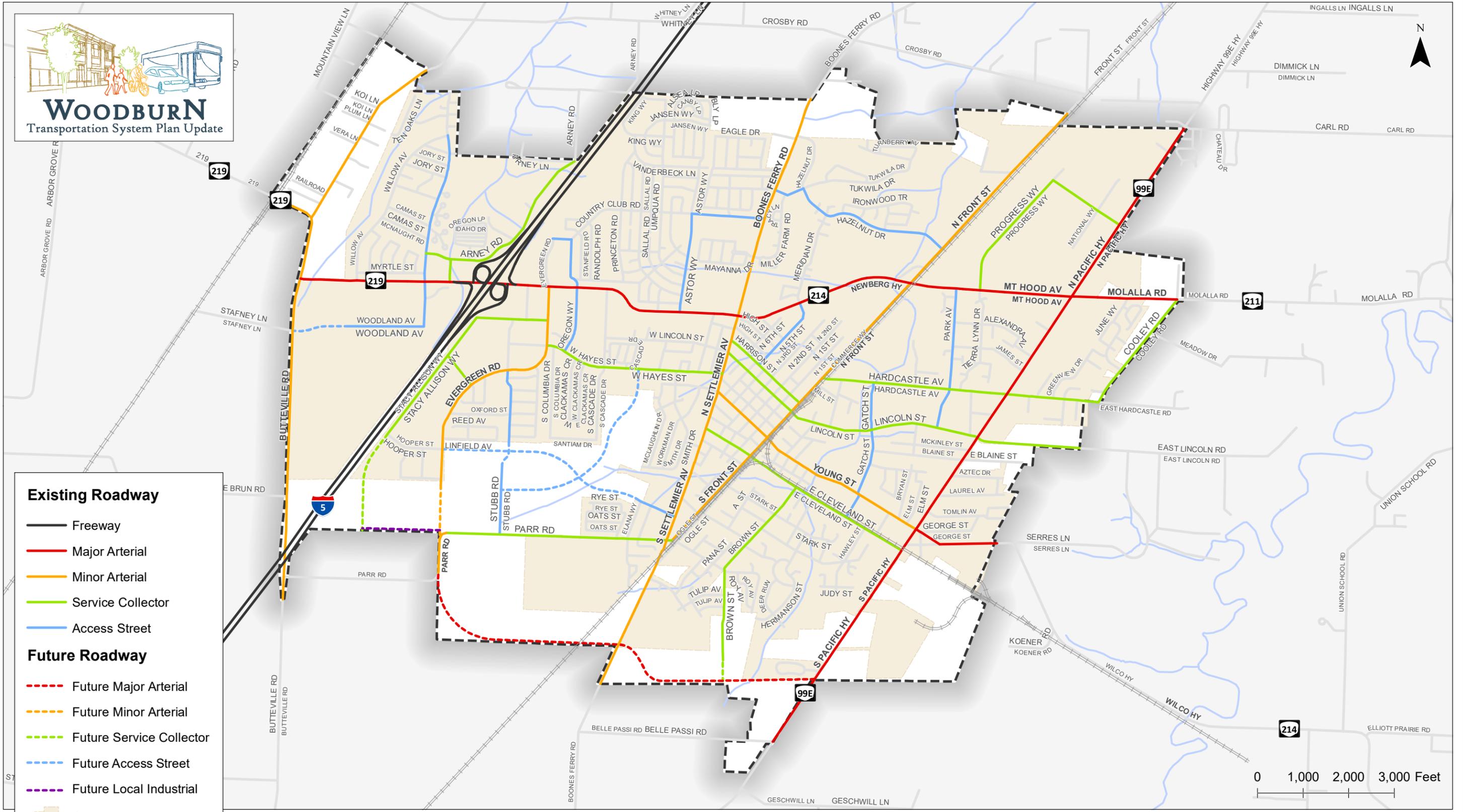
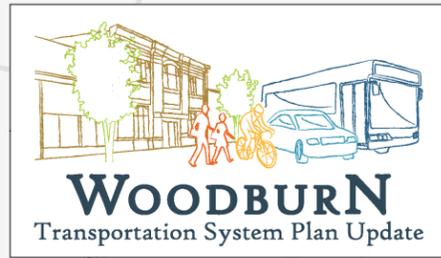
PLOT DATE: 1/23/2018

WOODBURN 05 1W 08CB



05 1W 08CB

05 1W 08CB



Existing Roadway

- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

Future Roadway

- - - Future Major Arterial
- - - Future Minor Arterial
- - - Future Service Collector
- - - Future Access Street
- - - Future Local Industrial

■ City Boundary

□ Urban Growth Boundary

Note: Future roadway alignments are approximate and subject to further refinement.

**Functional Roadway Classification
Woodburn, Oregon**

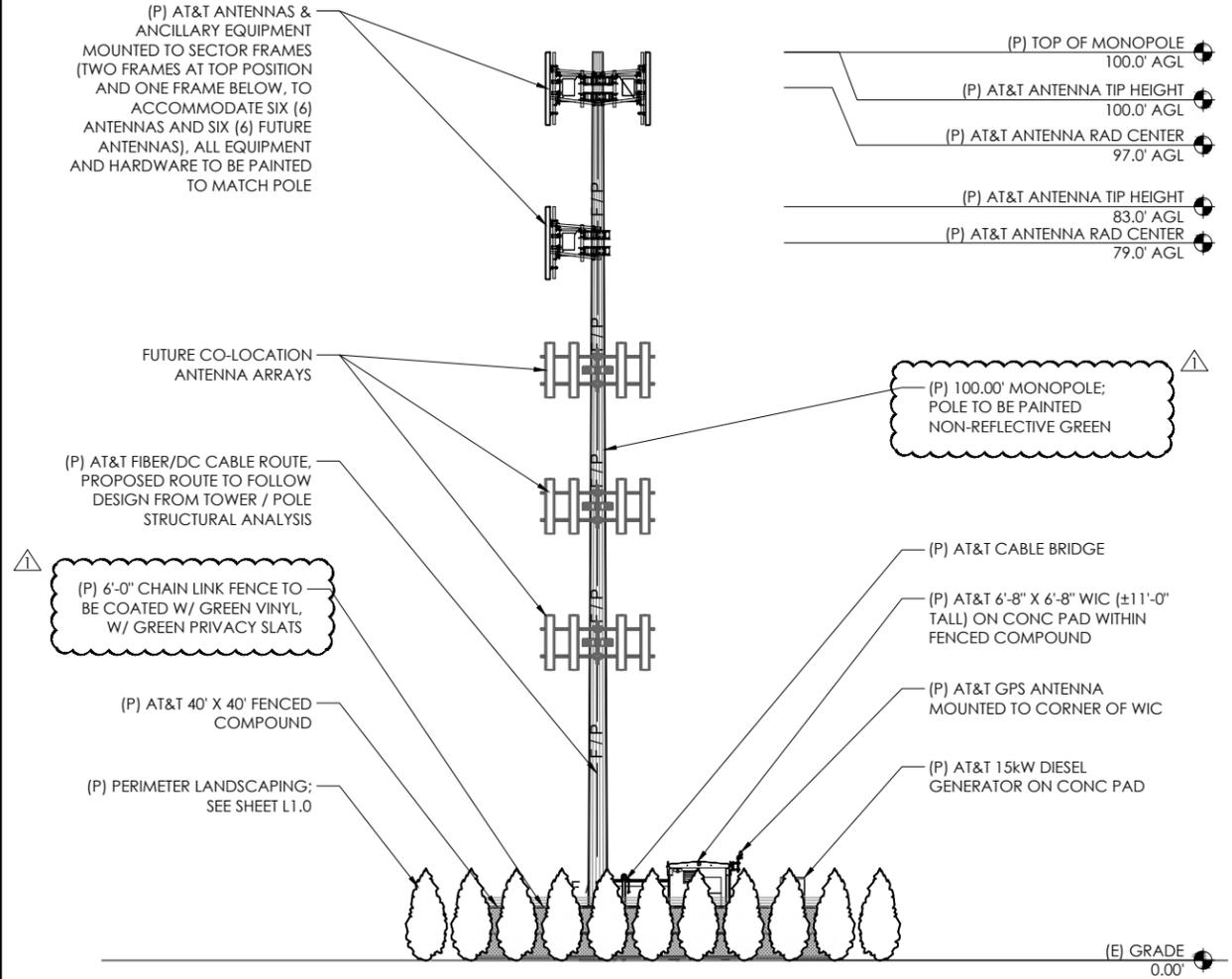
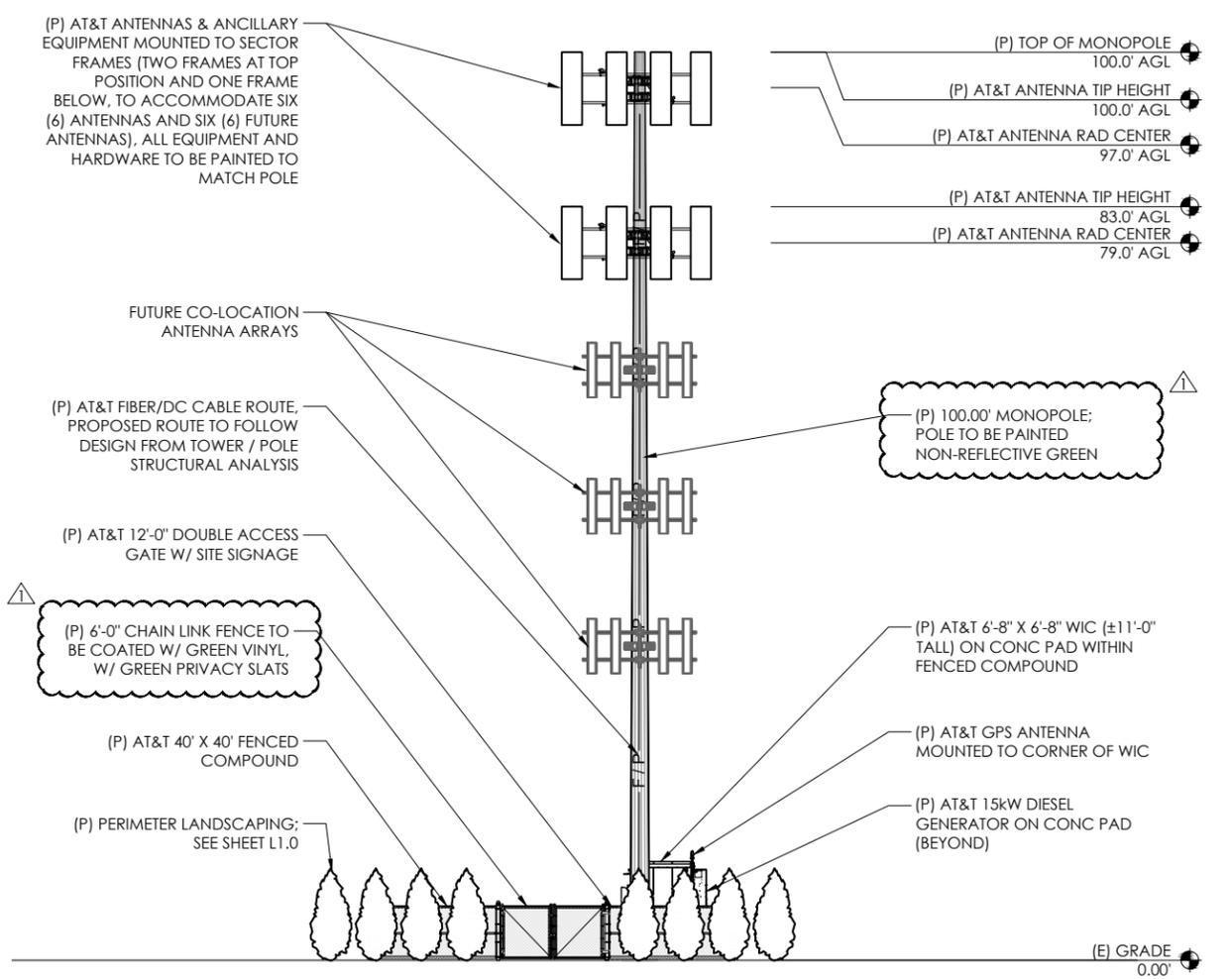
**Figure
2**

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl
Data Source: City of Woodburn, Oregon Department of Transportation

H:\1212\1071 - Woodburn TSP Update\GIS\TSP02 Functional Roadway Classification.mxd - mmcormick - 5:25 PM 9/18/2019



NOTES:
 1. THE PROJECT CM / PM TO VERIFY ANY REQUIRED PAINTING REQUIREMENTS FOR PROPOSED TOWER, ANTENNAS, ANCILLARY EQUIPMENT, CABLES, AND HARDWARE PRIOR TO ORDERING / INSTALLING EQUIPMENT.



DRAWN BY: MS
 CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION
1	02/03/20	PRELIM LU DRAWINGS
2	03/05/20	CLIENT COMMENT
3	03/09/20	FINAL LU DRAWINGS
4	04/15/20	△ JX COMMENTS
5	08/10/20	FINAL LU DRAWINGS

LICENSER	

PROJECT INFORMATION
 SA69
 WOODBURN
 PARKS & REC
 TAXLOT# 051W08CB05000
 WOODBURN, OR 97071

SHEET TITLE
 ELEVATIONS

SHEET NO.
 A3.0

1

(P) NORTHWEST ELEVATION



2

(P) SOUTHWEST ELEVATION



- ALL LANDSCAPING SHALL BE INSTALLED PRIOR TO RECEIVING FINAL BUILDING INSPECTION APPROVAL.
- ALL PLANTINGS ARE DROUGHT TOLERANT, NO IRRIGATION IS REQUIRED FOLLOWING INITIAL WATERING AT INSTALLATION. IF SEVERE DROUGHT OCCURS, CONTRACTOR / OWNER TO RE-SOAK TREE RINGS TO SATURATE AS NEEDED (ONE INCH OF RAINFALL ALLOWS TREE RING TO SEEP WATER FOR A PERIOD OF 30 DAYS PER MANUFACTURER).
- ALL PLANTINGS WILL BE WARRANTED BY LANDSCAPER FOR A PERIOD OF ONE YEAR FROM INSTALLATION.
- ALL DEBRIS AND EXISTING GROUND COVER REMOVAL IS TO BE DONE BY THE CONTRACTOR.
- MULCH (AS A GROUND COVER) MUST BE CONFINED TO AREAS UNDERNEATH PLANTS AND IS NOT A SUBSTITUTE FOR GROUND COVER PLANTS.
- CONTRACTOR TO PROVIDE SUFFICIENT WATERING UPON INITIAL INSTALLATION OF PLANTINGS.
- ALL PLANTINGS SHALL BE FERTILIZED PER SPECIFIC SPECIE REQUIREMENTS.
- THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE TO ARRANGE AN ON-SITE MEETING TO DISCUSS PROJECT PRIOR TO COMMENCEMENT OF ANY WORK.
- THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES AND OTHER OBSTRUCTIONS THAT MAY AFFECT THE WORK, AND SHALL BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING, AT HIS OR HER OWN EXPENSE, ANY DAMAGES FROM HIS OR HER OPERATION.
- CLEAR AND GRUB ALL NEW PLANTING AREAS PRIOR TO THE INSTALLATION OF ANY NEW PLANT MATERIAL.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ALL EXISTING LANDSCAPED AREAS DAMAGED AS A RESULT OF THE CONSTRUCTION OF THIS PROJECT, AND REPLANT WITH SAME SPECIES AS NEEDED.

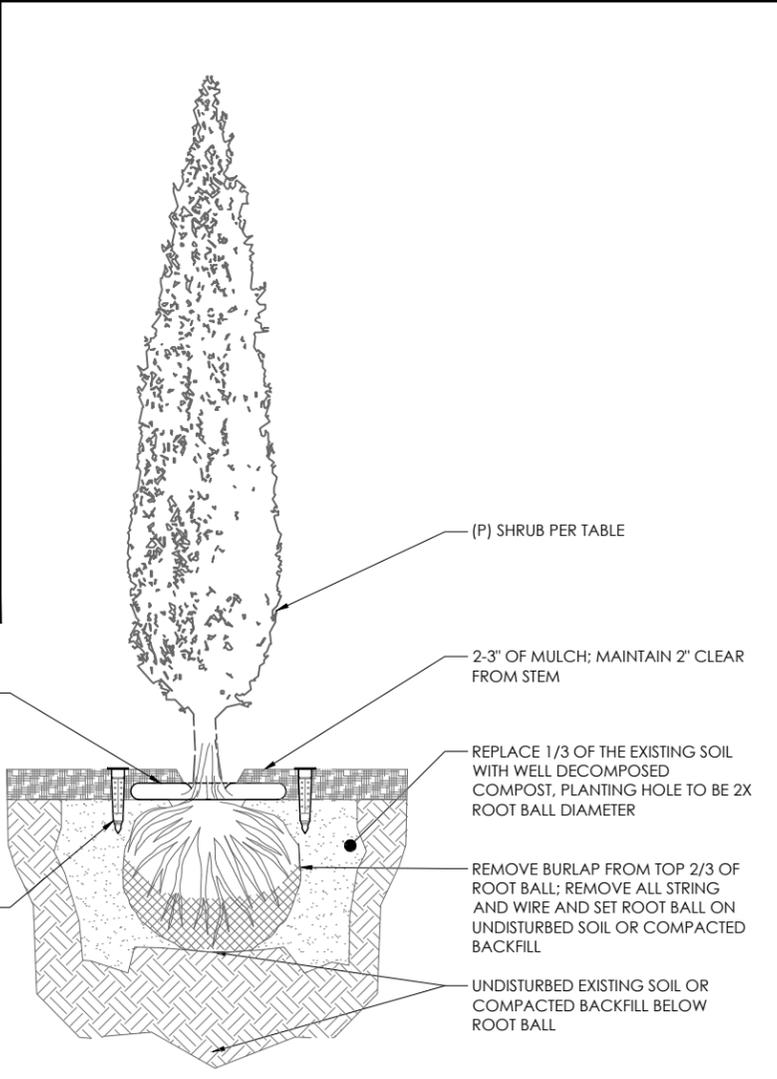
1 NOTES

TREE RING INSTALLATION INSTRUCTIONS:

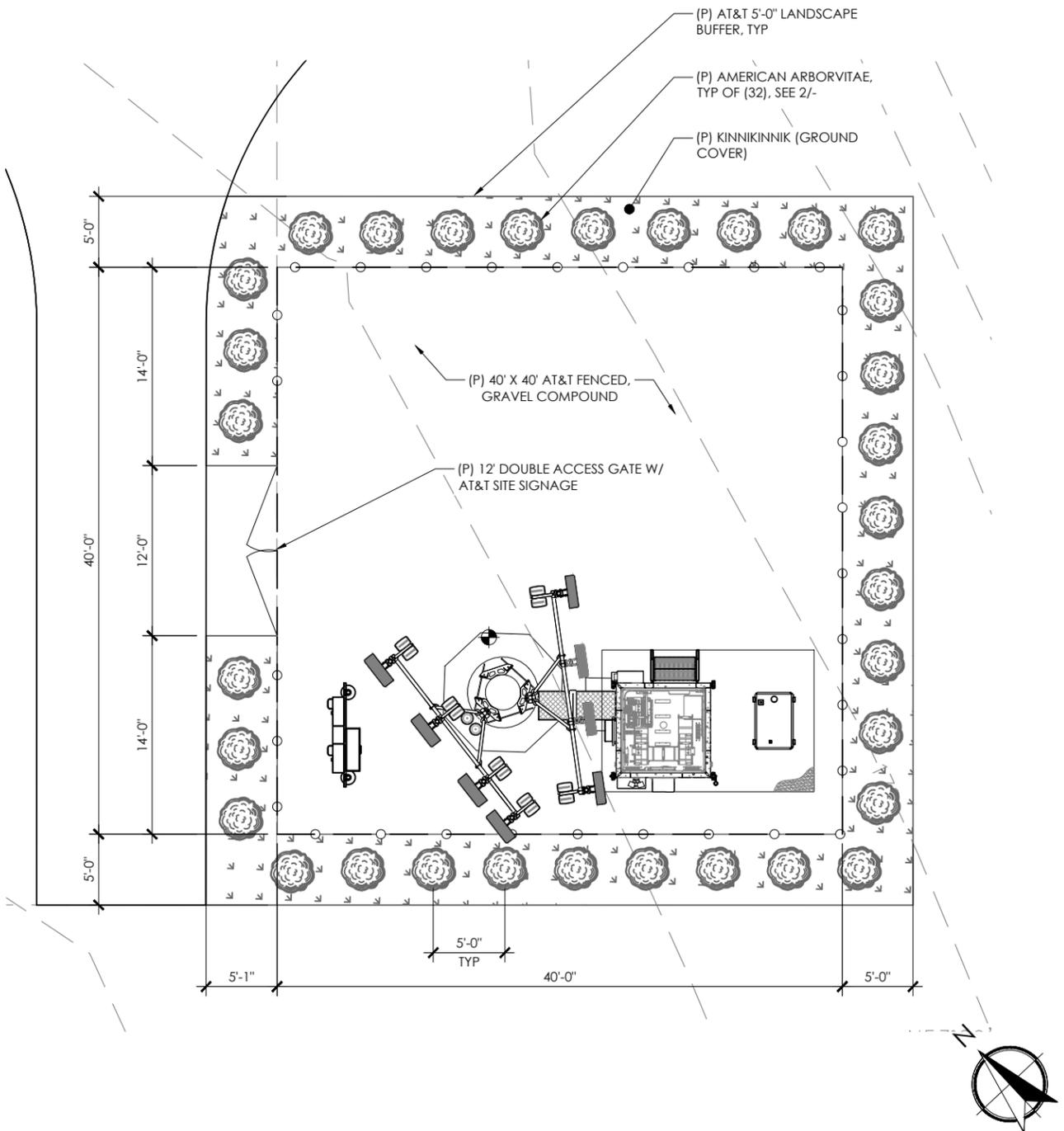
- PLACE THE TREE RING COMPLETELY SUBMERGED IN WATER FOR AT LEAST 5 HOURS OR OVERNIGHT PRIOR TO INSTALLING.
- COVER WITH 2-3" OF MULCH.
- DO NOT PLACE ANY SOIL, DIRT, FINE SAND, COMPOST, OR IRON-BASED STICKS OR TOMATO CAGE ON TOP OF PRODUCT.
- DO NOT ALLOW FERTILIZERS TO COME INTO CONTACT WITH THE PRODUCT.
- DO NOT POKE TREE RING WITH STICK, DAMAGE TO THE SURFACE MAY DECREASE FUNCTIONALITY.
- INSTALL PER MANUFACTURER RECOMMENDATIONS.

ROOT FLOW INSTALLATION INSTRUCTIONS:

- USING A SCREWDRIVER, CREATE A PILOT HOLE, AND MOVE SCREWDRIVER IN CIRCLES TO WIDEN THE HOLE.
- USE A MALLETT TO INSTALL THE STAKE INTO THE GROUND NEAR THE ROOT BALL, ENSURING NOT TO PUNCTURE TREE RING.
- ENSURE ROOT FLOW IS FLUSH MOUNT TO THE GROUND, AND CLEAR OF ANY NEW MULCH COVER.



PLANT LIST					
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	CLASS.
	THUJA OCCIDENTALIS	AMERICAN ARBOVITAE	(32)	6'-0" HT. MIN. @ PLANTING	HIGH SCREEN SHRUB
	ARCTOSTAPHYLOS UVA-URSI	KINNIKINNIK (BEARBERRY)	(T.B.D.)	1 GAL. & 30" O.C. EACH WAY	GROUND COVER



DRAWN BY: MS
CHECKED BY: BU

DRAWING VERSION		
VER.	DATE	DESCRIPTION

LICENSER

PROJECT INFORMATION

SA69
WOODBURN
PARKS & REC

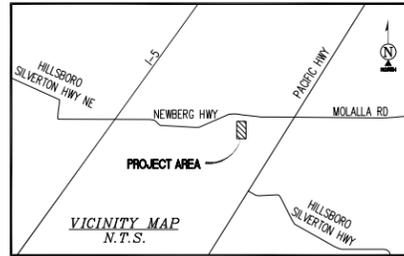
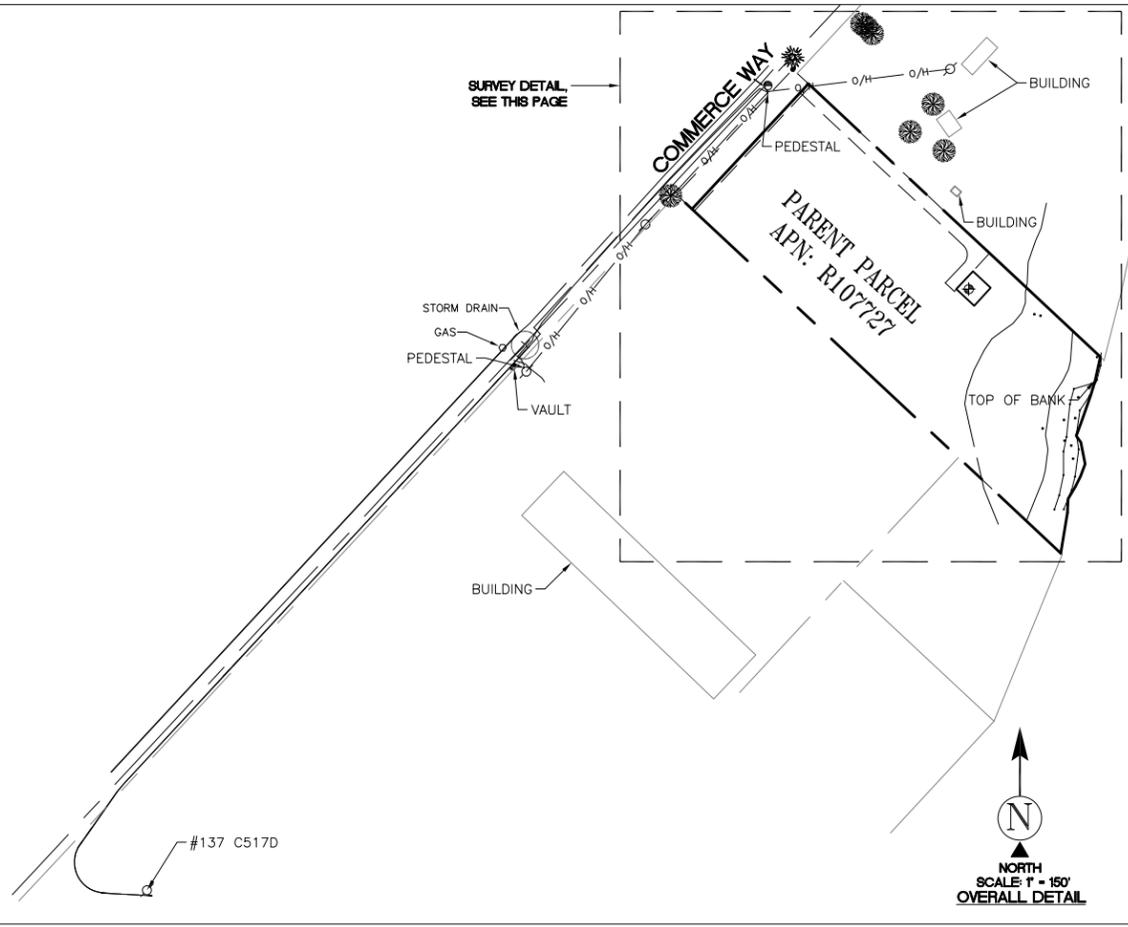
TAXLOT# 051W08CB05000
WOODBURN, OR 97071

SHEET TITLE

LANDSCAPE PLAN

SHEET NO.

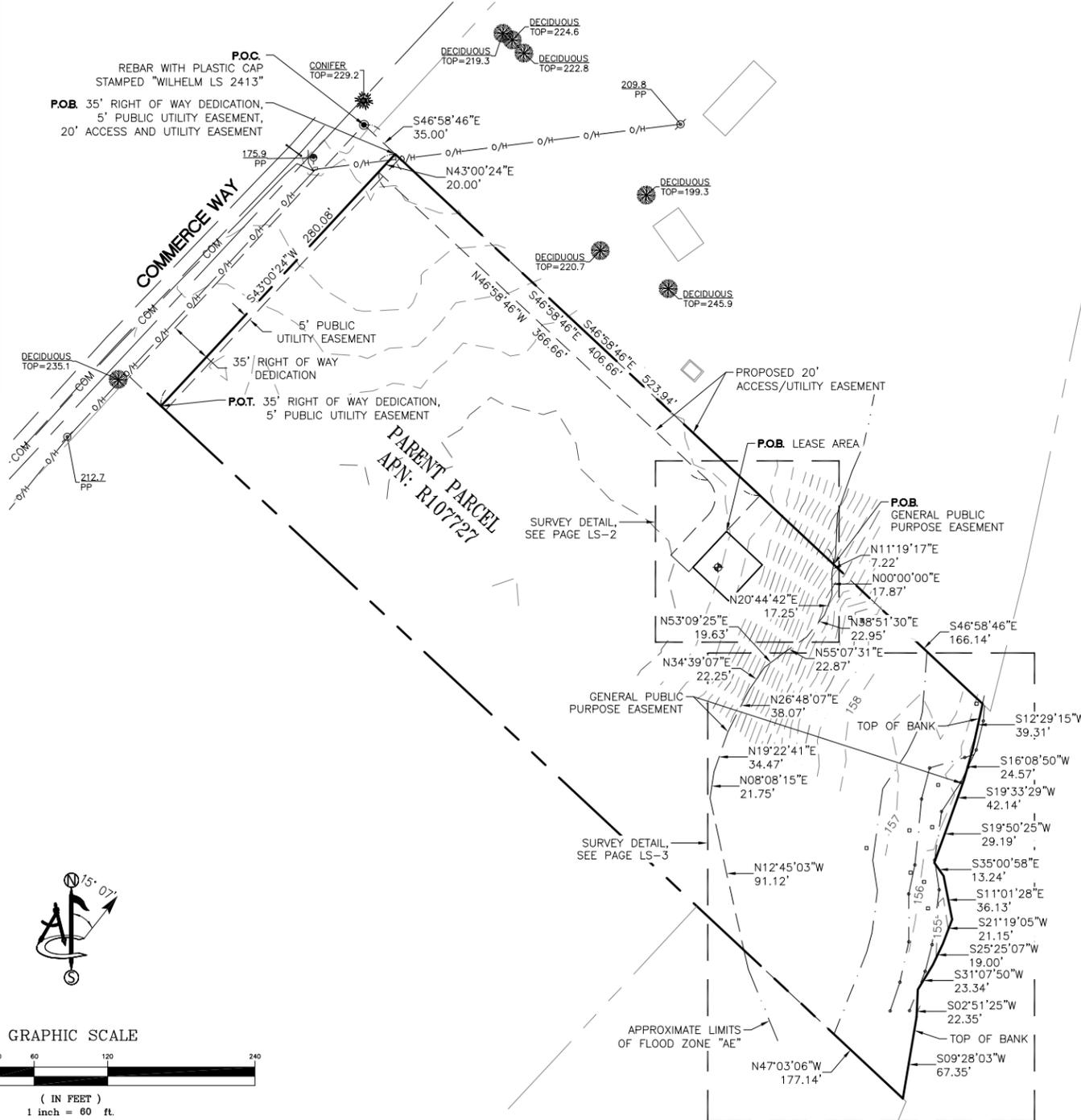
L1.0



POSITION OF GEODETIC COORDINATES
 LATITUDE 45° 08' 55.44" (45.148733°) NORTH (NAD83)
 LONGITUDE 122° 50' 44.79" (122.845775°) WEST(NAD83)
 GROUND ELEVATION @ 179.4' (NAVD88)

LEGEND

- NG NATURAL GRADE
- TREES
- PINE TREES
- UTILITY MANHOLES
- UTILITY METER
- UTILITY POLE
- POSITION OF GEODETIC COORDINATES
- SPOT ELEVATION
- SUBJECT PROPERTY LINE
- LEASE AREA LIMITS
- MAJOR CONTOUR INTERVAL
- MINOR CONTOUR INTERVAL
- EASEMENT LINES



SURVEY DATE
01/21/2020

BASIS OF BEARING
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM OREGON STATE PLANE COORDINATE ZONE NORTH, DETERMINED BY GPS OBSERVATIONS.

BENCHMARK
 PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS "GEOID 12B" MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY REAL TIME KINETIC (RTK) GPS DATA PROCESSED ON THE OREGON REAL-TIME GNSS NETWORK (ORGN). ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

GRID-TO-GROUND SCALE FACTOR NOTE
 ALL BEARINGS AND DISTANCES ARE BASED ON THE OREGON NORTH STATE PLANE COORDINATE ZONE GRID. TO DERIVE GROUND DISTANCES DIVIDE BY 0.99988872

FLOOD ZONE
 THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X". ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #41047C0138G, DATED 01/19/2000

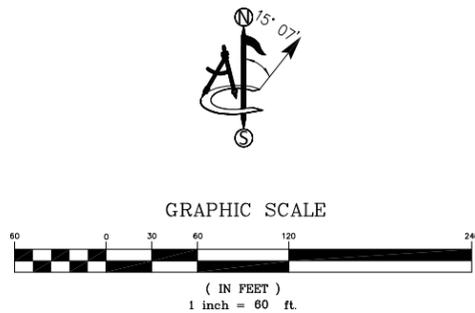
UTILITY NOTES
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

SURVEYOR'S NOTES
 SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

CONTOURS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOWS THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.



PROJECT INFORMATION:

SA69 WOODBURN PARKS & REC

COMMERCE WAY
 WOODBURN, OR 97000
 MARION COUNTY

ORIGINAL ISSUE DATE:

01/22/2020

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
5	07/23/2020	WETLANDS (C)	RAG
1	01/28/2020	UPDATE TITLE	PD
2	06/04/2020	ESMT. LEGALS	RAG
3	06/09/2020	UPDATE	PD
4	06/18/2020	ADD DESIGN	RAG

PROJECT COORDINATION:

CAPITAL DESIGN SERVICES
 2101 4TH AVE E, SUITE 202
 OLYMPIA, WA 98506
 360.991.1501
 WWW.CAPITALDESIGNSERVICES.COM

SURVEY PREPARED BY:

ambit consulting
 410 E. SOUTHERN AVE.
 TEMPE, ARIZONA 85282
 PH. (480) 659-4072
 WWW.AMBITCONSULTING.US

DRAWN BY: CHK.: APV.:

CK	PD	DG
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LICENSER:

SHEET TITLE:

SITE SURVEY

SHEET NUMBER:

LS-1

LESSOR'S LEGAL DESCRIPTION

LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBUM, MARION COUNTY, OREGON. (SEE VOLUME 3, PAGE 11, RECORD OF TOWN PLATS FOR SAID COUNTY AND STATE.) SAVE AND EXCEPT THE TRACT OF LAND CONVEYED TO THE CITY OF WOODBUM, MARION COUNTY, OREGON, BY ARVIN STODDARD AND ANNA STODDARD, HUSBAND AND WIFE, BY DEED DATED JANUARY 31, 1912 AND RECORDED FEBRUARY 27, 1912 IN VOLUME 125, PAGE 193, DEED RECORDS OF MARION COUNTY, OREGON. ALSO SAVE AND EXCEPT THE TRACT OF LAND CONVEYED BY ARVIN STODDARD AND ANNA STODDARD, HIS WIFE, TO GEORGE FEMEDING, BY DEED DATED OCTOBER 24, 1911 AND RECORDED OCTOBER 28, 1911 IN VOLUME 119, PAGE 310, DEED RECORDS FOR MARION COUNTY, OREGON. TOGETHER WITH PORTION OF LOT FIVE (5) IN OCOBOCK'S ADDITION TO WOODBUM, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF THE PARCEL CONVEYED BY ROBERT L. HURST AND VIRGINIA M. HURST, HUSBAND AND WIFE, TO THE CITY OF WOODBUM, A MUNICIPAL CORPORATION, BY DEED DATED DECEMBER 31, 1962 AND RECORDED JANUARY 29, 1963 IN VOLUME 568, PAGE 217, DEED RECORDS FOR MARION COUNTY, OREGON; THENCE NORTHWESTERLY, PARALLEL WITH THE SOUTHWESTERLY BOUNDARY LINE OF LOT 5, OCOBOCK'S ADDITION TO WOODBUM, IN MARION COUNTY, OREGON, TO THE NORTHWESTERLY BOUNDARY LINE OF SAID ADDITION; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID ADDITION TO THE MOST WESTERLY CORNER OF LOT 6 IN SAID ADDITION; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SAID LOT 6 TO THE EASTERLY BOUNDARY LINE OF SAID ADDITION; THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID ADDITION TO THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY BOUNDARY LINE OF SAID CITY OF WOODBUM PARCEL (VOLUME 568, PAGE 217, DEED RECORDS); THENCE NORTHWESTERLY ALONG SAID SOUTHEASTERLY EXTENSION AND ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID CITY OF WOODBUM PARCEL TO THE PLACE OF BEGINNING.

35' RIGHT OF WAY DEDICATION LEGAL DESCRIPTION

A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN REEL 2645 AT PAGE 198, MARION COUNTY DEED RECORDS, BEING A PORTION OF LOT FIVE (5) AND LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBURN, MARION COUNTY, OREGON, BEING 35.00 FEET WIDE, LYING 35.00 FEET NORTHWEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A FOUND REBAR WITH PLASTIC CAP MARKED "WILHELM LS 2413" AS SHOWN ON RECORD OF SURVEY FILED AS NO. 36371, RECORDED ON OCTOBER 21, 2003, RECORDS OF SAID COUNTY AND STATE; THENCE, ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 6, AS SHOWN ON SAID SURVEY, SOUTH 46°58'46" EAST, 35.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 43°00'24" WEST, 280.08 FEET TO THE POINT OF TERMINUS.

5' PUBLIC UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN REEL 2645 AT PAGE 198, MARION COUNTY DEED RECORDS, BEING A PORTION OF LOT FIVE (5) AND LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBURN, MARION COUNTY, OREGON, BEING 5.00 FEET WIDE, LYING 5.00 FEET SOUTHEAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A FOUND REBAR WITH PLASTIC CAP MARKED "WILHELM LS 2413" AS SHOWN ON RECORD OF SURVEY FILED AS NO. 36371, RECORDED ON OCTOBER 21, 2003, RECORDS OF SAID COUNTY AND STATE; THENCE, ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 6, AS SHOWN ON SAID SURVEY, SOUTH 46°58'46" EAST, 35.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 43°00'24" WEST, 280.08 FEET TO THE POINT OF TERMINUS.

GENERAL PUBLIC PURPOSE EASEMENT LEGAL DESCRIPTION

A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN REEL 2645 AT PAGE 198, MARION COUNTY DEED RECORDS, BEING A PORTION OF LOT FIVE (5) AND LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBURN, MARION COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR WITH PLASTIC CAP MARKED "WILHELM LS 2413" AS SHOWN ON RECORD OF SURVEY FILED AS NO. 36371, RECORDED ON OCTOBER 21, 2003, RECORDS OF SAID COUNTY AND STATE; THENCE, ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 6, AS SHOWN ON SAID SURVEY, SOUTH 46°58'46" EAST, 523.94 FEET TO THE POINT OF BEGINNING;

THENCE, CONTINUING SOUTH 46°58'46" EAST, 166.14 FEET;
 THENCE SOUTH 12°29'15" WEST, 39.31 FEET;
 THENCE SOUTH 16°08'50" WEST, 24.57 FEET;
 THENCE SOUTH 19°33'29" WEST, 42.14 FEET;
 THENCE SOUTH 19°50'25" WEST, 29.19 FEET;
 THENCE SOUTH 35°00'58" EAST, 13.24 FEET;
 THENCE SOUTH 11°01'28" EAST, 36.13 FEET;
 THENCE SOUTH 21°19'05" WEST, 21.15 FEET;
 THENCE SOUTH 25°25'07" WEST, 19.00 FEET;
 THENCE SOUTH 31°07'50" WEST, 23.34 FEET;
 THENCE SOUTH 02°51'25" WEST, 22.35 FEET;
 THENCE SOUTH 09°28'03" WEST, 67.35 FEET;
 THENCE NORTH 47°03'06" WEST, 177.14 FEET;
 THENCE NORTH 12°45'03" WEST, 91.12 FEET;
 THENCE NORTH 08°08'15" EAST, 21.75 FEET;
 THENCE NORTH 19°22'41" EAST, 34.47 FEET;
 THENCE NORTH 26°48'07" EAST, 38.07 FEET;
 THENCE NORTH 34°39'07" EAST, 22.25 FEET;
 THENCE NORTH 53°09'25" EAST, 19.63 FEET;
 THENCE NORTH 55°07'31" EAST, 22.87 FEET;
 THENCE NORTH 38°51'30" EAST, 22.95 FEET;
 THENCE NORTH 20°44'42" EAST, 17.25 FEET;
 THENCE NORTH 00°00'00" EAST, 17.87 FEET;
 THENCE NORTH 11°19'17" EAST, 7.22 FEET RETURNING TO THE POINT OF BEGINNING.

SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE STATUS OF RECORD TITLE ORDER #340318AM, ISSUED BY AMERITITLE, DATED JANUARY 24, 2020. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

NOTE: TITLE CONTAINS NO PLOTTABLE EXCEPTIONS

LEASE AREA LEGAL DESCRIPTION

A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN REEL 2645 AT PAGE 198, MARION COUNTY DEED RECORDS, BEING A PORTION OF LOT FIVE (5) AND LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBURN, MARION COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR WITH PLASTIC CAP MARKED "WILHELM LS 2413" AS SHOWN ON RECORD OF SURVEY FILED AS NO. 36371, RECORDED ON OCTOBER 21, 2003, RECORDS OF SAID COUNTY AND STATE; THENCE, ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 6, AS SHOWN ON SAID SURVEY, SOUTH 46°58'46" EAST, 406.66 FEET; THENCE DEPARTING SAID LINE SOUTH 43°00'24" WEST, 40.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 46°59'36" EAST, 40.00 FEET;
 THENCE SOUTH 43°00'24" WEST, 40.00 FEET;
 THENCE NORTH 46°59'36" WEST, 40.00 FEET;
 THENCE NORTH 43°00'24" EAST, 40.00 FEET RETURNING TO THE POINT OF BEGINNING.

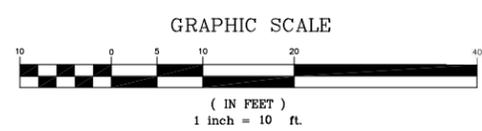
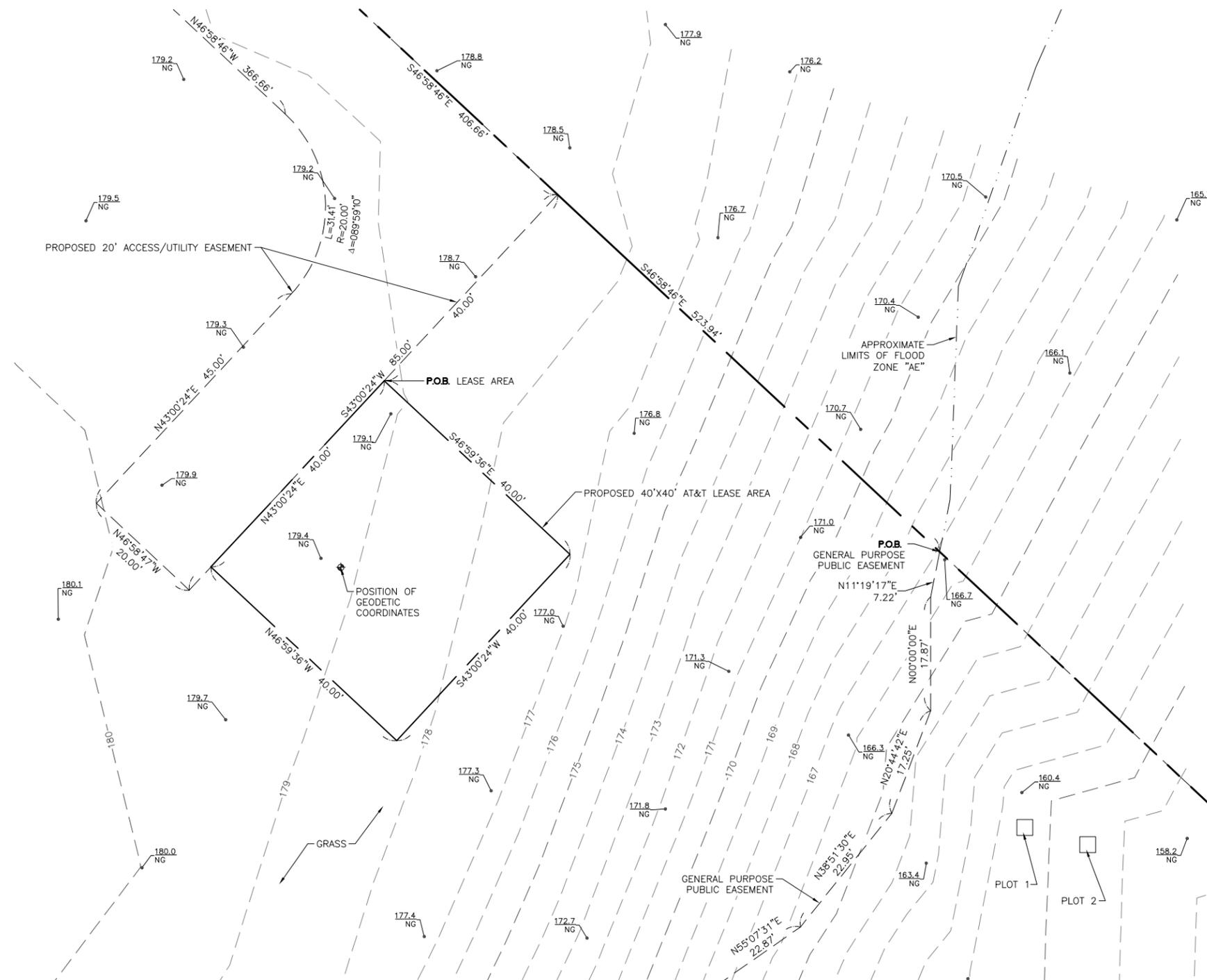
CONTAINING 1600 SQUARE FEET (0.037 ACRES) OF LAND, MORE OR LESS.

ACCESS AND UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF THE LAND DESCRIBED IN WARRANTY DEED RECORDED IN REEL 2645 AT PAGE 198, MARION COUNTY DEED RECORDS, BEING A PORTION OF LOT FIVE (5) AND LOT SIX (6) IN OCOBOCK'S ADDITION TO WOODBURN, MARION COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR WITH PLASTIC CAP MARKED "WILHELM LS 2413" AS SHOWN ON RECORD OF SURVEY FILED AS NO. 36371, RECORDED ON OCTOBER 21, 2003, RECORDS OF SAID COUNTY AND STATE; THENCE, ALONG THE NORTHEAST BOUNDARY LINE OF SAID LOT 6, AS SHOWN ON SAID SURVEY, SOUTH 46°58'46" EAST, 35.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID BOUNDARY LINE, SOUTH 46°58'46" WEST, 406.66 FEET;
 THENCE DEPARTING SAID LINE, SOUTH 43°00'24" WEST, 85.00 FEET;
 THENCE NORTH 46°58'47" WEST, 20.00 FEET;
 THENCE NORTH 43°00'24" EAST, 45.00 FEET TO THE BEGINNING OF A CURVE CONCAVE WEST, HAVING A RADIUS OF 20.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THRU A CENTRAL ANGLE OF 89°59'10" A DISTANCE OF 31.41 FEET;
 THENCE NORTH 46°58'46" WEST, 366.66 FEET;
 THENCE NORTH 43°00'24" EAST, 20.00 FEET RETURNING TO THE POINT OF BEGINNING.



PROJECT INFORMATION:

SA69 WOODBURN PARKS & REC
 COMMERCE WAY
 WOODBURN, OR 97000
 MARION COUNTY

ORIGINAL ISSUE DATE:

01/22/2020

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
5	07/23/2020	WETLANDS (C)	RAG
1	01/28/2020	UPDATE TITLE	PD
2	06/04/2020	ESMT. LEGALS	RAG
3	06/09/2020	UPDATE	PD
4	06/18/2020	ADD DESIGN	RAG

PROJECT COORDINATION:

CAPITAL DESIGN SERVICES
 2101 4TH AVE E, SUITE 202
 OLYMPIA, WA 98506
 360.991.1501
 WWW.CAPITALDESIGNSERVICES.COM

SURVEY PREPARED BY:

ambit consulting
 410 E. SOUTHERN AVE.
 TEMPE, ARIZONA 85282
 PH. (480) 659-4072
 WWW.AMBITCONSULTING.US

DRAWN BY: CHK.: APV.:

CK	PD	DG
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LICENSER:



SHEET TITLE:

NOTES

SHEET NUMBER:

LS-2



PROJECT INFORMATION:

SA69 WOODBURN PARKS & REC

COMMERCE WAY
WOODBURN, OR 97000
MARION COUNTY

ORIGINAL ISSUE DATE:

01/22/2020

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
5	07/23/2020	WETLANDS (C)	RAG
1	01/28/2020	UPDATE TITLE	PD
2	06/04/2020	ESMT. LEGALS	RAG
3	06/09/2020	UPDATE	PD
4	06/18/2020	ADD DESIGN	RAG

PROJECT COORDINATION:



SURVEY PREPARED BY:



DRAWN BY: CHK.: APV.:

CK	PD	DG
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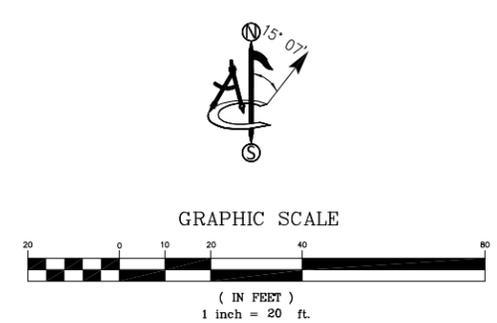
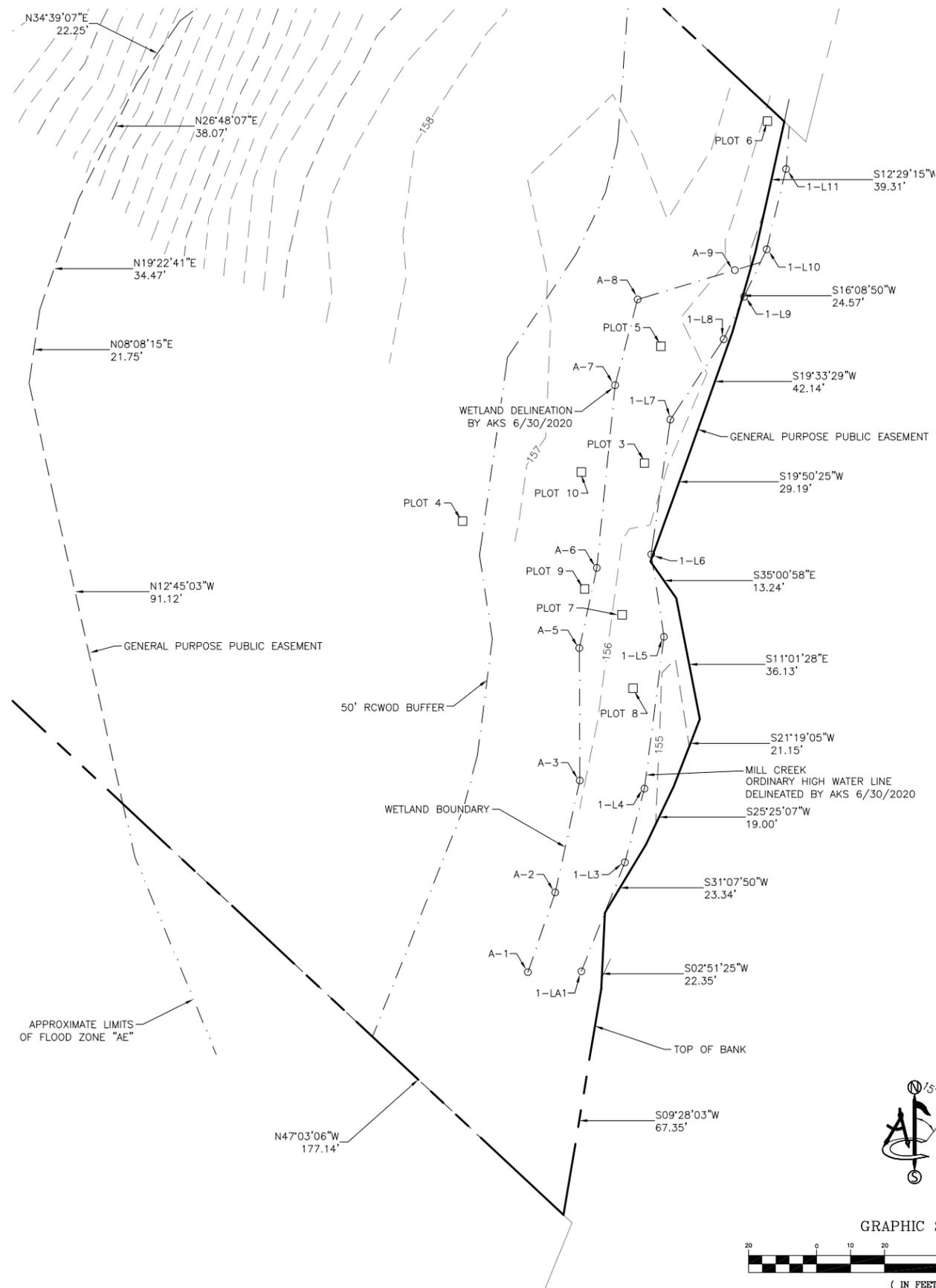
LICENSER:

SHEET TITLE:

DETAIL

SHEET NUMBER:

LS-3



**PROJECT NARRATIVE
CONDITIONAL USE & EXCEPTION APPLICATION
AT&T WCF—SA69 WOODBURN PARKS & REC**

Submitted to City of Woodburn, OR
Community Development Department
Planning Division

Applicant: New Cingular Wireless PCS, LLC (“AT&T”)
19801 SW 72nd Avenue, #100
Tualatin, OR 97062
(425) 222-1026

Representative: Smartlink
11232 120th Ave NE, Suite 204
Kirkland, WA 98033
Contact: Debbie Griffin
480.296.1205
Debra.Griffin@smartlinkgroup.com

Property-Owner: Don Burlingham Family Corporation
Contact: Scott Roerig
11145 Oak Meadow Lane
Aurora, OR 97002

Project Address: No situs address

Description & Tax Lot: GPS Coordinates: 45.148733/-122.845775
Tax Lot Number: 051W08CB05000

Zoning Classification: Light Industrial (IL)

Smartlink, LLC is submitting this application on behalf of New Cingular Wireless PCS, LLC (“AT&T”) and the underlying property owner.

1. PROJECT OVERVIEW

AT&T is proposing to build a new wireless communications facility (“WCF” and/or “Facility”), SA69 Woodburn Parks and Rec, located on Map Tax Lot: 051W08CB05000 (45.148733/-122.845775) in Woodburn, OR. This proposed Facility is a coverage and capacity site intended to provide new coverage and additional service capacity to areas within the City of Woodburn.

In addition to the city's Uniform Application, Conditional Use Permit, and Exception to Street ROW & Improvement Requirements forms, AT&T intends for its application for the proposed WCF to also include the following documents (collectively, "AT&T's Application"):

- Attachment 1—Project Narrative
- Attachment 2—Statement of Code Compliance
- Attachment 3—AT&T RF Justification
- Attachment 4—AT&T RF Safety Compliance Letter
- Attachment 5—Photo Simulations
- Attachment 6—ODA Determination Letter
- Attachment 7—FAA TOWAIR Report
- Attachment 8—Noise Study
- Attachment 9—Stormwater Report
- Attachment 10—Pre-Application Report
- Attachment 11—Mailing Labels and Map
- Attachment 12—Property Owner Letter of Authorization and Deed
- Attachment 13—Zoning Drawings

As shown in AT&T's Application, this proposed Facility meets all applicable Woodburn Development Ordinance ("WDO") criteria for siting new wireless communications facilities and complies with all other applicable state and federal laws and regulations. AT&T's proposal is also the least intrusive means of meeting its service objectives for this site. Accordingly, AT&T respectfully requests the city to approve this project as proposed, subject only to the city's standard conditions of approval for similar proposals.

Please Note: All references to "Attachments" in this Project Narrative are in reference to the above-noted attachments included as part of AT&T's Application.

2. PROPOSED PROJECT DETAILS

Additional detailed information regarding the subject property, proposed lease area, and proposed WCF in include in **Attachment 13—Zoning Drawings**.

2.1 Site Description

- **Subject property.** The subject property is located on Map Tax Lot: 051W08CB05000, in the City of Woodburn (the "Property"). The Property is owned by Don Burlingham Family Corporation.
- **Zoning—Use.** The Property is currently vacant and is zoned as Light Industrial (IL).
- **Lease area.**
 - The proposed 40-foot x 40-foot lease area for the WCF is located on the northern property line (the "Lease Area").
 - The Lease Area will be surrounded by a site-obscuring 6-foot green vinyl coated chain link fence with green privacy slats, secured with a locked 12-foot gate.
 - The Lease Area will be covered in 3/4in crushed gravel.

- **Adjacent Riparian Corridor and Wetland Overlay District (RCWOD).** The Lease Area is located approximately 88-feet west of a RCWOD overlay area, as depicted in **Attachment 13—Zoning Drawings, Sheet A1.0**. AT&T is completing a formal wetland delineation report and will submit said report to city staff upon completion.

2.2 Access, Parking, and Trip Generation

- **Access.** Access to the Lease Area will be via a new asphalt driveway originating from Commerce Avenue to the west. The new driveway and driveway approach will be constructed to the city's applicable design and public works standards.
- **Parking.** Maintenance vehicles will be able to utilize the proposed asphalt hammerhead turnaround area located at the entrance to the Lease Area.
- **Trip generation.** The WCF will require approximately one trip per month, on average, for maintenance visits provided by personnel in a single vehicle. The proposed Facility will have no impact on existing vehicular access to and from the proposed site, or to pedestrian, bicycle, and transit circulation.

2.3 Wireless Facilities and Equipment

- **Tower design.** AT&T proposes to install a new 100ft monopole tower within the Lease Area (the "Tower").
 - Sufficient space will be made available on the Tower for a minimum of three (3) additional antenna arrays for future collocation.
 - The Tower will be painted green with an anti-glare finish.
- **Tower antennas and equipment.**
 - The Tower will contain the following AT&T 4G LTE equipment:
 - Up to twelve (12) panel antennas
 - Up to eighteen (18) remote radio head (RRH) units
 - Up to two (2) surge protectors
 - Fiber/ DC cables
 - The antennas, RRHs, and accessory equipment on the Tower will be painted green to match. All paint will have an anti-glare finish.
- **Ground equipment.**
 - All ground equipment will be constructed within the Lease Area.
 - The ground equipment will be installed in a pre-manufactured 6-foot 8-inch by 6-foot 8-inch walk-in cabinet ("WIC"), which will be placed on a concrete slab.
 - A diesel generator (for secondary power) will be installed next to the WIC shelter on a concrete slab.
- **Lighting.** No artificial lighting of the Facility is proposed other than a motion-controlled LED security light located on the pre-manufactured walk-in equipment cabinet within the fenced Lease Area.

- **Noise.** Pursuant to **Attachment 8—Noise Study**, noise from the ground equipment and back-up generator will be mitigated by installing an additional layer of sound barrier material to the fence surrounding the Lease Area.

2.4 Landscaping & Screening

- As noted, the Lease Area will be surrounded and screened by a site obscuring 6ft high chain-link fence with green privacy slats.
- Pursuant to WDO 2.08.03.9, drought resistant landscaping is proposed to be densely installed within a 5ft wide landscape buffer along the perimeter of the Lease Area fencing to help further screen the Facility.
- In addition, existing trees within the RCWOD east and south of the Lease Area will also help screen the Tower from surrounding uses.

3. AT&T NETWORK COVERAGE AND SERVICES

3.1. Overview—AT&T 4G LTE Network Coverage and Services

AT&T is upgrading and expanding its wireless communications network to support the latest 4G LTE technology. LTE stands for “Long Term Evolution.” This acronym refers to the ongoing process of improving wireless technology standards, which is now in its fourth generation. With each generation comes improvement in speed and functionality—4G LTE offers speeds up to ten times faster than 3G. LTE technology is the next step in increasing broadband speeds to meet the demands of uses and the variety of content accessed over mobile networks. Upon completion of this update, AT&T will operate a state-of-the-art digital network of wireless communications facilities throughout the proposed coverage area as part of its nationwide wireless communications network.

3.2. Network Service Objectives and Targeted Service Area for Proposed Facility

The proposed Facility is a service coverage and capacity site intended to offload an existing AT&T wireless site (ORL00209A) and provide new dominant 4G LTE coverage and enhanced capacity within the downtown area of the City of Woodburn, particularly to serve the residences, businesses, and schools in the areas around N Settlement Ave, N Front Street, and N. Pacific Highway (OR-99E) from OR-214 south to Cleveland St (collectively, the “Targeted Service Area”). See **Attachment 3—RF Justification**.

As determined by AT&T's RF engineers, the proposed new Facility meets AT&T's service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service within the Targeted Service Area, resulting in fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands (including emergency 911 calls). The service objective, Targeted Service Area, and proposed location were determined by AT&T's RF engineers through a combined analysis of market demand, customer complaints, service requests, and RF engineering design.

3.3. Search Ring

AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to best fulfill the noted service

objectives within the Targeted Service Area. From this study, AT&T's RF engineers identified a search ring area where a new wireless facility may be located to provide effective service in the Targeted Service Area. The search ring established for this proposal (the "Search Ring"), and a description of the methodology used to determine the search ring, is provided in **Attachment 3—RF Justification**.

As this is a service capacity site intended to offload capacity in a specific area, the proposed new Facility must be located within the identified Search Ring to be able to establish a dominant signal within the Targeted Service Area—*i.e.* the proposed new Facility will provide service to users' handsets and prevent them from communicating with AT&T's existing facility to the south, thereby relieving some of the burden on the existing facility by offloading users' data requirements to the proposed new Facility.

4. ALTERNATIVE SITE ANALYSIS

AT&T generally considers all siting possibilities within, and adjacent to, a search ring to determine the best location for a new facility to meet the targeted service objectives. AT&T will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or determined to be infeasible, AT&T will then propose a new tower.

For this proposed WCF, AT&T's construction and real estate group, with the assistance of outside consultants, thoroughly analyzed siting options and found that the proposed location is the only available property within the Search Ring that will meet AT&T's service objectives in the Targeted Service Area.

4.1. Collocation

AT&T's RF engineers evaluated the following collocation locations and deemed each insufficient. See **Attachment 3—RF Justification, Alternative Site Analysis**

- **Existing Towers.** AT&T's RF engineers did not identify any existing towers within or directly adjacent to the search ring as available and/or technically feasible for collocation.
- **Existing Buildings and Structures.** There are no pre-existing buildings or structures within or directly adjacent to the search ring that are technically feasible for locating antennas, as the existing structures and buildings in the area are generally not tall enough to provide sufficient coverage to create a dominant signal and offload capacity within the Targeted Service Area. Pursuant to AT&T's RF engineers, a 100ft antenna tip height is the minimum height needed for a site within the search ring to best meet AT&T's service objectives within the Targeted Service Area.

As noted, the specific service coverage and capacity needs within the Targeted Service Area requires the proposed WCF to be located within the identified search ring. However, AT&T's RF engineers additionally evaluated the nearest existing towers outside of the Search Ring, all of which are technically infeasible for collocation.

- AT&T's existing tower located approximately 1.44 miles south of the proposed new WCF (45.128 / -122.848) is the AT&T site intended to be offloaded by the proposed Facility. This tower is too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area.
- An existing American Tower Corporation tower located approximately 0.9 miles NE of the proposed new WCF (45.1576 / -122.8326) also contains AT&T antennas but is not a feasible option for collocation as it is also too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area.
- An existing SBA tower located approximately 1.55 miles NW of the proposed new WCF (45.159565 / -122.872971) also contains AT&T antennas but is not a feasible option for collocation as it is also too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area. Additionally, there are already four carriers located on this tower.

5. DEDICATION OF PUBLIC EASEMENTS & IMPROVEMENTS

At the pre-application conference, City staff indicated that because the proposed Facility qualifies as a "development" as defined in WDO 1.02, the following exactions would be required for approval pursuant to Chapters 3.01 and 3.02 of the WDO (See **Attachment 10—Pre-Application Report**):

- Dedication of a 35ft ROW easement along the Property line abutting Commerce Way.
- Construction of Commerce Way ROW improves the length of the Property.
- Dedication of a 5ft public utilities easement between the Property line and above-noted ROW easement.
- Dedication of a general-purpose public use easement for the RCWOD overly area on the Property.
- Street lighting abutting the Property.

AT&T recognizes that information provided at the Pre-Application Conference is merely informative and does not constitute a final decision for conditions on development. However, as discussed further below, there is no legal basis for these exactions to be imposed as conditions of approval.

5.1. No Nexus or Rough Proportionality to Require Exactions

An exaction imposed by the city as a condition of development approval must be sufficiently related and roughly proportional in both nature and extent to the negative impacts of the proposed development. To require an exaction when there is no finding of such a nexus or proportionality is unconstitutional and legally invalid.¹

¹ *Dolan v. City of Tigard*, 512 U.S. 374 (1994). See also, *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); *Koontz v. St. Johns River Water Management District*, 570 U.S. 595 (2013) (where the Court held that the exactions doctrine prohibited the government from making "[e]xtortionate demands for property," meaning that a property owner could sue when the government denied a permit for refusing to accept its conditions, and that monetary exactions—a requirement

The fact that an exaction is required by city ordinance is irrelevant to whether that exaction is in fact roughly proportional to the impacts of development.² Rather, the city must undertake the rough proportionality analysis required by federal law, regardless of whether a local ordinance requires it.³ The burden is on the city to demonstrate rough proportionality and the city must have sufficient findings to demonstrate the requisite proportional relationship between the impact and exaction.⁴ Additionally, when conducting the rough proportionality analysis, the city cannot assume any particular level of future development beyond what is included in the current proposal.⁵ After performing the rough proportionality analysis, if the exaction required by the city is not roughly proportional to the impacts of the proposed development, the city may either not apply the standard to require the exaction or it may compensate the landowner for the exaction.⁶ The above-listed exactions are not sufficiently related to the impacts of the proposed Facility, provide no benefit to the proposed Facility⁷, and fail the legally required nexus and rough proportionality analysis. Objectively, the proposed Facility will cause no impact on public facilities and infrastructure. As noted in AT&T's Application:

- The Facility will be unmanned.
- The Facility will generate only one vehicle trip per month, on average, for maintenance, which is negligible.
- The Facility will only use power and telecommunications utilities and will not utilize water, sewer, garbage, or any other utilities.
- The Lease Area for the Facility is only 1600 sq ft of a 5.11-acre undeveloped parcel.
- The total additional impervious surface area for the Lease Area, driveway, and turnaround will not increase the existing peak flow stormwater runoff, nor the total runoff volume for 2-25 year storm events.

Accordingly, because the proposed Facility will not generate a quantifiable real increase in daily vehicle trips, any requirement to dedicate a ROW easement and/or construct ROW improvements (or fee-in-lieu), including street lights, are objectively not necessary nor proportional to the impacts of the proposed Facility. Because the proposed Facility will not use or impact the water or sewer utilities and will not generate an increased impact on stormwater runoff, dedication of the public utility easement is

that a property owner spend money, rather than give up a property interests—were subject to the nexus and rough proportionality requirements. *Id.* at 612). See also, *J.C. Reeves Corp. v. Clackamas County*, 131 Or App 615 (1994); *Gensman v. City of Tigard*, 29 Or LUBA 505 (1995).

² *McClure v. City of Springfield*, 37 Or LUBA 759 (2000).

³ *Kingsley v. City of Portland*, 55 Or LUBA 256 (2007), aff'd 218 Or App 229 (2008).

⁴ *Lincoln City Ch. of Comm. v. City of Lincoln City*, 36 Or LUBA 399 (1999). *Clark v. City of Albany*, 137 Or. App. 293 (1995).

⁵ *Schultz v. City of Grants Pass*, 131 Or. App. 220 (1994).

⁶ *Columbia Riverkeeper v. Clatsop County*, 58 Or LUBA 235 (2009) (where the "rough proportionality" test in *Dolan* applies, it can function as a kind of variance, providing a basis under which a local government may choose not to exact property as a condition of development approval that it would otherwise be entitled to exact under its land use regulations, as an alternative to compensating the landowner for the taking); accord *Dudek v. Umatilla County*, 187 Or App 504 (2003).

⁷ See *Art Piculell Group v. Clackamas County*, 30 Or LUBA 381 (1996) (Consideration of both the benefits and the burdens of an exaction is relevant and appropriate in articulating whether there is a sufficient connection between the proposed development and the required improvements to justify the exaction).

objectively not necessary nor proportional to the impacts of the proposed Facility. And finally, because the proposed Facility is an unmanned telecommunications tower located outside of the RCWOD, the general-purpose public use easement is neither related nor proportional to the proposed Facility.

Pursuant to the cited established case law, as well as WDO 3.01.02.D, 3.02, and 5.03.03, and AT&T's Exception to Street ROW and Improvements Requirements Application, AT&T respectfully requests an exemption from the above-listed exactions for the proposed Facility.

5.2. Voluntary Dedication of Easements

Though there is no legal basis to impose the above-listed exactions as conditions of approval, the Property owner has indicated a willingness to voluntarily waive any 5th amendment Takings claims and dedicate the 35ft ROW easement and 5ft public utility easement along the Property line abutting Commerce Way, as well as the general purpose public use easement for the portion of the Property within the RCWOD overlay. The locations of these future easements are contemplated on the site plan included in **Attachment 13—Zoning Drawings, Sheet A1.0**. Accordingly, AT&T requests for the city to include a finding and condition of approval confirming that the dedication of the ROW, public utility, and general purpose public use easements may be voluntarily executed by the Property owner but that no approval of AT&T's proposed Facility shall be conditioned upon the dedication of said easements or construction of ROW improvements.

6. APPLICABLE LAW

6.1. Local Codes and Policies

- **Zoning and Development Standards.** Pursuant to City of Woodburn Development Ordinance, new wireless telecommunication facilities in the Light Industrial (IL) zone are allowed subject to a Conditional Use Permit and must comply with the criteria in WDO 2.08—Telecommunication Facilities. Please see **Attachment 2—Statement of Code Compliance** for AT&T's demonstration of compliance with all applicable WDO provisions.
- **Comprehensive Plan.** The proposed Facility conforms with applicable Comprehensive Plan policies. Though wireless telecommunication services are not specifically discussed in the Comprehensive Plan, adequate wireless services are an essential service for growing urban areas. People rely on the ability to use their phones and other wireless devices at work and at home, both indoors and outdoors. As the population of the City of Woodburn increases and land development patterns change over time, the demand for urban services also increases and changes. The enhanced coverage and capacity will also support public safety by improving emergency responses through improved connectivity for making emergency calls and access to a more reliable 4G LTE network for first responders.

6.2. Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 (“Telecom Act”), acknowledges a local jurisdiction’s zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

6.2.1. Local jurisdictions may not materially limit or inhibit. The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that “prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission (“FCC”) Order adopted in September 2018,⁸ a local jurisdiction’s action has the effect of prohibiting the provision of wireless services when it “materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.”⁹ Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding capacity, updating to new technologies, and/or maintaining high quality service.¹⁰

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- **Significant Gap.** Reliable in-building coverage is now a necessity and every community’s expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a “significant gap” can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City*, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), *affirmed in part*, 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco*, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).
- **Least Intrusive Means.** The least intrusive means standard “requires that the provider ‘show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.’” 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code’s preferences and siting requirements.

6.2.2. Environmental and health effects prohibited from consideration. Also, under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF

⁸ *Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018) (“FCC Order”).

⁹ *Id.* at ¶ 35.

¹⁰ *Id.* at ¶¶ 34-42.

emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T has included with this application a statement from its radio frequency engineers demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission's RF emissions regulations. (See **Attachment 4—AT&T RF Safety Compliance Letter**) Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility should be disregarded in this proceeding.

6.2.3. No discrimination amongst providers. Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities.

6.2.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a "Shot Clock" rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, *et seq.* A presumptively reasonable period of time for a local government to act on all relevant applications for a "macro" wireless facility on a new structure is 150 days. 47 C.F.R. § 1.6003(c)(1)(iv). The Shot Clock date is determined by counting forward 150 calendar days from the day after the date of submittal, including any required pre-application period. 47 C.F.R. § 1.6003(e).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.

**STATEMENT OF CODE COMPLIANCE
WCF CONDITIONAL USE & EXCEPTION APPLICATION
AT&T WCF—SA69 WOODBURN PARKS & REC**

Submitted to the City of Woodburn, OR
Community Development Department
Planning Division

AT&T's application (the "Application") for a new wireless telecommunications facility ("WCF" and/or "Facility") in the Light Industrial (IL) zone is subject to and complies with the following applicable provisions of the City of Woodburn's Development Ordinance ("WDO"), which are addressed in this Statement of Code Compliance in the following order:

I. ZONING

- **Chapter 2.04 Industrial and Public Zones**
 - **2.04.B Approval Types (Table 2.04A)**
 - **2.04.C Development Standards (Table 2.04B)**

II. WCF DEVELOPMENT & DESIGN REGULATIONS

- **Chapter 2.08 Specific Conditional Uses**
 - **2.08.01 General Provisions**
 - **2.08.03 Telecommunications Facilities**

III. ADDITIONAL DEVELOPMENT REGULATIONS

- **Chapter 2.06 Accessory Structures**
 - **2.06.02.C Fences and Walls**
- **Chapter 3.01 Streets**
 - **3.01.01 Applicability**
 - **3.01.02 General Provisions**
 - **3.01.03 Improvements Required for Development**
- **Chapter 3.02 Utilities and Easements**
 - **3.02.01 Public Utility Easements**
 - **3.02.02 Creeks and Watercourse Maintenance Easements**
 - **3.02.03 Street Lighting**
 - **3.02.04 Underground Utilities**
- **Chapter 3.06 Landscaping**
 - **3.06.02 General Requirements**
 - **3.06.03A Street Trees**

IV. RIPARIAN CORRIDOR AND WETLANDS OVERLAY DISTRICT

- **Chapter 2.05 Overlay Districts**
 - **2.05.05 Riparian Corridor and Wetlands Overlay District**

V. REVIEW PROCEDURES

- **Chapter 4.01 Decision Making Procedures**
 - **4.01.07 Consolidated Applications**
 - **4.01.13 Pre-application Conference**
- **Chapter 5.03 Type III (Quasi-Judicial) Decisions**
 - **5.03.01 Conditional Use**
 - **5.03.03 Exception of Street Right of Way and Improvement Requirements**
 - **5.03.11 Telecommunication Facility, Specific Conditional Use**

PLEASE NOTE: AT&T’s responses to applicable provisions are indicated below in *bold italicized blue text*. Any reference to an “Attachment” is in reference to an attachment included in AT&T’s application for the proposed Facility.

I. ZONING

Chapter 2.04 Industrial and Public Zones

2.04.B Approval Types (Table 2.04A)

1. Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.
2. Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.
3. Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.
4. Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.
5. Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.

Uses Allowed in Industrial Zones Table 2.04A					
Use			Zone		
Accessory Uses (A)	Conditional Uses (CU)	Permitted Uses (P)	IL	IP	
Special Permitted Uses (S)	Specific Conditional Uses (SCU)				P/SP
C	Industrial				
22	Telecommunication Facilities subject to Section 2.08.03			SCU	SCU

Applicant Response: AT&T’s proposed WCF is an allowed Specific Conditional Use (SCU) within the IL zone in accordance with the provisions of the general development standards in WDO Table 2.04B, Chapter 2.08.03, and the conditions of Conditional Use approval as indicated herein.

2.04.C Development Standards (Table 2.04B).

Light Industrial (IL) - Site Development Standards Table 2.04B		
Lot Area, Minimum (square feet)		No minimum
Lot Width, Minimum (feet)		No minimum
Lot Depth, Minimum (feet)		No minimum
Street Frontage, Minimum (feet)		No minimum
Front Setback and Setback Abutting a Street, Minimum (feet)		10 ¹
Side or Rear Setback, Minimum (feet)	Abutting P/SP zone or a residential zone or use	30
	Abutting a commercial or industrial zone	0 or 5 ²
Setback to a private access easement, Minimum (feet)		5
Lot Coverage, Maximum		Not specified ³
Building Height, Maximum (feet)	Primary or accessory structure	70
	Features not used for habitation	100
1. Measured from the Special Setback (Section 3.03.02), if any. 2. A building may be constructed at the property line, or shall be set back at least five feet. 3. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.		

Applicant Response: Please see Attachment 13—Zoning Drawings, Sheets A1.0, A2.0 & A3.0, for demonstration of AT&T’s compliance with the above setback and height requirements.

II. WCF DEVELOPMENT AND DESIGN STANDARDS

Chapter 2.08 Specific Conditional Uses

2.08.01 General Provisions.

- A. Specific conditional uses require conditional use approval that is subject to:
 - 1. The supplementary conditional use approval criteria specified in this Section;
 - 2. Additional conditions of development found to be appropriate to mitigate impacts of a particular use;
 - 3. Development standards of the underlying zone, unless the specific conditions of approval set higher standards.
- B. The specific development standards for each type of conditional use listed in this Section are mandatory. Any deviation from these standards shall comply with criteria for a variance.
- C. The provisions of this Section shall not apply to those uses allowed outright in a particular zone.

Applicant Response: AT&T understands, acknowledges and intends to comply with the provisions above.

2.08.03 Telecommunication Facilities.

All telecommunication facilities shall be regulated by the provisions of this Section of the Woodburn Development Ordinance (WDO). In the event of any conflict between this and other sections of the WDO, the most restrictive provisions shall control.

A. Definitions

Aerial: A privately owned and operated antenna for non-commercial uses, subject to height limitations as specified in the WDO. Aerial includes “amateur radio antennae”, but is not a “telecommunications facility”.

Ancillary Facilities, Telecommunications: The structure and equipment required for operation of the telecommunication equipment, including, but not limited to, antenna(e), repeaters, equipment housing structures, and ventilation and other mechanical equipment.

Antenna(e), Telecommunications: An electrical conductor or group of electrical conductors that transmit or receive radio waves for commercial uses.

Attachment, Telecommunications: An antenna or other piece of related equipment affixed to a transmission tower.

Collocated Telecommunications Facilities: The attachment of new or additional transmission facilities to an existing transmission tower designed for such multiple use.

Exchange Carrier: A provider of telecommunications services.

Guyed Tower, Telecommunications: A transmission tower on which cables (guy wires) are permanent.

Lattice Tower, Telecommunications: A transmission tower constructed of lateral cross members.

Monopole, Telecommunications: A transmission tower consisting of a single upright pole support that does not require guy wires or lateral cross.

Pre-existing Towers and Pre-existing Antenna(e), Telecommunications: Any tower or antenna for which a building permit has been properly issued, prior to passage of the WDO.

Repeater, Telecommunications: Equipment containing both a receiver and a transmitter; used to relay radio signals over large distances or to provide signals in an area which would otherwise be in a shadow.

Shadow, Telecommunications: A geographic area that has less than adequate telecommunication service coverage.

Telecommunications Facilities: Facilities designed and used for the purpose of transmitting and receiving voice and data signals from various wireless communications devices.

Telecommunications Facilities, New: The installation of new transmission towers. New attachments are not new facilities.

B. Standards of Approval

1. All new telecommunications facilities shall be located on a property of sufficient size to comply with the following:

a. A setback from all property lines to the tower, which is at least two-thirds the tower height. This standard shall not apply to collocated telecommunications facilities.

Applicant Response: AT&T's proposed 100ft WCF will be setback at least two-thirds of the tower height from all property lines, as shown on Sheet A1.0 in Attachment 13—Zoning Drawings.

b. A tower pad large enough to allow for additional collocated and ancillary facilities. The tower or towers shall be located centrally on this pad. This standard shall not apply to antenna(e) attached to existing structures or towers located on rooftops.

Applicant Response: The tower pad will be large enough to allow for additional collocated and ancillary facilities and the proposed tower will be centrally located on the tower pad, as demonstrated on Sheet A2.0 in Attachment 13 – Zoning Drawings.

c. Protection to adjoining property from the potential impact of tower failure and ice falling from the tower. A registered structural engineer's analysis shall be submitted that demonstrates that the site and facility adequately accommodate measures to mitigate these hazards.

Applicant Response: Per Attachment 10 – Pre-Application Report, AT&T will submit the required Structural Analysis with the Building Permit submittal.

d. Separation from pre-existing towers. Tower separation shall be measured by following a straight line from the base of the proposed tower to the base of any pre-existing tower. Minimum separation distances shall be as indicated in Table 2.204A.

Minimum Separation Among Telecommunication Facilities				
Table 2.08A				
	Lattice Tower	Guyed Tower	Monopole 80 or more feet in height	Monopole less than 80 feet in height
Lattice Tower	500 feet	500 feet	150 feet	75 feet
Guyed Tower	500 feet	500 feet	150 feet	75 feet
Monopole 80 or more feet in height	150 feet	150 feet	150 feet	75 feet
Monopole less than 80 feet in height	75 feet	75 feet	75 feet	

Applicant Response: There are no towers within 150 feet of the proposed monopole location.

2. Collocation

- a. Before a proposal for a new transmission tower is considered, an applicant shall exhaust all collocation options, including placement of antennae on existing tall structures and multiple antennae or attachments on a single tower. In cases where an existing tower is modified or rebuilt to a taller height to allow collocation, such change may only occur one time per communication tower site and may only occur when the modification or rebuild request has been initiated by a separate exchange carrier.

Applicant Response: Please see the Alternative Site Analysis in Attachment 1—Project Narrative and Attachment 3—RF Justification for AT&T's demonstration that collocation is not feasible.

- b. New telecommunication facilities shall be constructed so as to accommodate future collocation, based upon expected demand for transmission towers in the service area. Towers shall be designed so as to accommodate a minimum expansion of three two-way antennae for every 40 vertical feet of tower.

Applicant Response: AT&T acknowledges, understands, and intends to comply with this requirement. Please see Attachment 13—Zoning Drawings, Sheet A3.0, for demonstration of the WCF's design and ability for collocation of at least three additional users.

- c. Replacement of existing pole type structures may be permitted for the purpose of collocation, provided that there is no change to the type of tower. Setback and other location criteria of the underlying zone shall still apply.

Applicant Response: Not applicable.

3. Multiple Attachments on Utility Poles: In conformance with the Telecommunications Act of 1996, Section 703, a utility shall provide any telecommunications carrier with nondiscriminatory access to any pole, duct, conduit, or right-of-way owned or controlled by it, unless there is insufficient capacity, or access cannot be granted for reasons of safety, reliability, and generally applicable engineering purposes.

Applicant Response: Not applicable.

4. Height: New telecommunication facilities shall not exceed the height limits established by the underlying zone.

Applicant Response: The proposed WCF does not exceed 100ft in height, which meets the height limitations defined in the underlying IL zone per Table 2.04B. Please see Attachment 13—Zoning Drawings.

5. Visual Impact: The applicant shall demonstrate that the tower will have the smallest practicable visual impact on the environment, considering technical, engineering, economic and other pertinent factors.

- a. The height and mass of the transmission tower shall not exceed that which is essential for its intended use and public safety, as demonstrated in a report prepared by a registered structural engineer.

Applicant Response: The proposed tower is the minimum height and mass necessary for its intended use. Please see Attachment 3 – RF Justification for demonstration that the proposed antenna tip height of 100ft is the minimum necessary to meet AT&T's service objectives within the Targeted Service Area. As noted, AT&T will submit the required structural analysis and engineered tower drawings with its building permit application.

- b. Towers 100 feet or less in height shall be painted, in order to best camouflage the tower with regard to compatibility with surrounding objects and colors. Unless towers are otherwise disguised or collocated, towers shall be camouflaged as trees whenever structurally possible.
Applicant Response: As requested by City staff at the March 18, 2020 pre-application conference, the proposed WCF will be painted forest green to minimize the visual impact from adjoining properties by blending in with the surrounding environment. See Attachment 10—Pre-Application Report, Attachment 5—Photo Simulations, and Attachment 13—Zoning Drawings. As standard practice, AT&T uses non-glare finish paint for monopole towers and wireless facilities. In addition, as demonstrated in Attachment 6—ODA Determination, the ODA does not have any paint requirements for the proposed tower.
 - c. Towers more than 100 feet in height shall be painted in accordance with the Oregon State Aeronautics Division and Federal Aviation Administration standards, unless an appropriate waiver is obtained. Where a waiver has been granted, towers shall be painted and/or camouflaged in accordance with Section 2.08.03.A.5.b.
Applicant Response: Not applicable.
6. Accessory Uses: Accessory uses shall include only buildings and facilities that are necessary for transmission functions and associated satellite ground stations, and shall not include broadcast studios (except emergency broadcast), offices, vehicular storage areas, or other similar uses not necessary for the transmission or relay functions. No unenclosed storage of materials is allowed.
Applicant Response: Accessory uses will only include a pre-manufactured equipment cabinet and diesel generator installed on a concrete pad within the Lease Area as shown in Attachment 13—Zoning Drawings, Sheet A2.0. There will be no unenclosed storage of materials.
 7. Lighting: No lighting shall be permitted on transmission towers, except that required by the Oregon State Aeronautics Division or Federal Aviation Administration. This standard shall not prevent shared use or replacement of an existing light pole. For collocation on existing or replaced light poles the transmission tower shall have no net increase to the spread, intensity or direction of the existing light source.
Applicant Response: No artificial lighting of the Facility is proposed or required per Attachment 6—ODA Determination and Attachment 7—FAA TOWAIR Report.
 8. Noise: Noise generated by equipment shall be sound buffered by means of baffling, barriers, or other suitable means, to reduce the sound level measured at the property line to 30 dBA when adjacent to residential uses and 45 dBA in other areas.
Applicant Response: Please see Attachment 8—Noise Study, which indicates the proposed sound buffers and mitigation measures AT&T will implement to reduce the sound level to the above standards.
 9. Fences and Landscaping:
 - a. The tower(s) and ancillary facilities shall be enclosed by a six-foot fence meeting the requirement of the WDO. Chain link fences, when allowed, shall have a green vinyl coating. Where a six-foot fence in sound condition already exists on a side or sides of the tower pad area, fencing requirements may be waived for that side.
 - b. Landscaping shall be placed outside of fences and shall consist of fast-growing vegetation, with a minimum planted height of six feet, placed densely so as to form a solid hedge.
 - c. Landscaping and fencing shall be compatible with other nearby landscaping and fencing.
 - d. Where antenna(e) or towers and ancillary facilities are to be located on existing buildings or structures and are secure from public access, landscaping and fencing may be waived.

Applicant Response: AT&T is proposing to enclose the Facility's Lease Area with a gated, 6ft-high green vinyl coated chain link fence with green privacy slats, which will meet the requirements of Section 2.06.02. In addition, AT&T is proposing to install a 5ft landscape buffer around the perimeter of the Lease Area with dense fast-growing vegetation with a minimum planted height of 6ft. Please see Attachment 13—Zoning Drawings, Sheets L1.0, A2.0 & A3.0, for demonstration of AT&T's compliance with this requirement.

10. Signs: One unilluminated sign, not to exceed two square feet in area, which states the contact name and phone number for emergency purposes shall be provided at the main entrance to the facility. Signs shall not be placed on towers and antennae.

Applicant Response: AT&T acknowledges, understands, and intends to comply with this requirement. AT&T is not proposing any signage other than that required above and by certain state and federal laws.

C. Abandoned Facilities:

1. When the use of a transmission facility is discontinued for a period of six or more consecutive months, the facility is deemed abandoned. Abandoned facilities shall be removed by the property owner no later than 90 days from the date of abandonment.
2. Failure to remove an abandoned facility is declared a public nuisance and is subject to abatement, pursuant to the Woodburn Nuisance Ordinance and all other applicable legal remedies.
3. Upon written application prior to the expiration of the six-month period, the Director shall grant a six-month extension for reuse of the facility. Additional extensions beyond the first six-month extension may be granted by the Director, subject to any conditions required to bring the project into compliance with current laws and to make it compatible with surrounding development.

Applicant Response: AT&T acknowledges, understands, and intends to comply with the above provisions.

III. ADDITIONAL DEVELOPMENT REGULATIONS

Chapter 2.06 Accessory Structures

2.06.02 Fences and Walls.

C. Height in Non-Residential Zones

1. In commercial, industrial, or public zones, the maximum height of a fence or wall located in a yard abutting a street shall be 6 feet, relative to the ground elevation under the fence or wall. Fence height may increase to 9 feet once flush with the building face, or 20 feet from street right-of-way.
2. Fences and walls may be constructed in the special setback provided the property owner agrees to removal at such time as street improvements are made.

Applicant Response: Pursuant to Section 2.08.03.B.9.a, a 6ft fence around the Facility is required and is proposed. Please see Attachment 13—Zoning Drawings, Sheet A2.0.

D. Fence Materials

1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls, such as wood, stone, rock, or brick, or other durable materials.

2. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.
3. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from, and within 20 feet of, a public street.

Applicant Response: As noted above, in compliance with this section, AT&T is proposing to install a 6ft green vinyl coated chain link fence with green privacy slats. Please see Attachment 13—Zoning Drawings, Sheet A2.0.

Chapter 3.01 Streets

3.01.01 Applicability.

- A. Right-of-way standards apply to all public streets.
- B. Improvement standards apply to all public and private streets, sidewalks and bikeways.
- C. Functional standards are identified in the Woodburn TSP.
- D. This applies to all development, and is not limited to partitions, subdivisions, multi-family, commercial or industrial construction, or establishment of a manufactured dwelling or recreational vehicle park. Construction of a single-family dwelling or placement of a manufactured dwelling does not, for the purposes of this Section, constitute development, however, in no case can this type of development occur without minimal access as determined by the Director.

Applicant Response: Per City Staff, AT&T's proposal is "development" as defined in Section 1.02 and is therefore subject to the right-of-way and improvement standards herein. See Attachment 10 – Pre-Application Report. However, please see Attachment 1—Project Narrative for AT&T's request for exemption from exactions for the proposed Facility due to a failure to meet the rough proportionality analysis established under federal law.

Pursuant to the cited established case law, as well as WDO 3.01.02.D, 5.03.03, and AT&T's Exception to Street ROW and Improvements Requirements Application, AT&T respectfully requests an exemption from the above-listed exactions for the proposed Facility.

3.01.02 General Provisions.

- A. No development shall be approved, or access permit issued, unless the internal streets, boundary streets and connecting streets are constructed to at least the minimum standards set forth in this Section, or are required to be so constructed as a condition of approval.
- B. Private streets are prohibited, except in manufactured dwelling parks, pursuant to State statute (ORS Chapter 446 and OAR 918-600). All private streets in manufactured dwelling parks shall comply with the standards of the Woodburn Development Ordinance (WDO) and State statute.
- C. Materials and construction shall comply with specifications of the City of Woodburn.
- D. The standards of this Section may be modified, subject to approval of an Exception to Street Right-of-Way and Improvement Requirements.

Applicant Response: AT&T has submitted an Exception to Street Right-of-Way Improvement Requirements application for exemption from the minimum standards in this Section, pursuant to this chapter as well as a failure to meet the rough proportionality analysis required under federal law. Please see Attachment 1—Project Narrative for additional discussion.

3.01.03 Improvements Required for Development.

A. With development, the Internal, Boundary, and Connecting streets shall be constructed to at least the minimum standards set forth below.

B. Internal Streets *[OMITTED AS NA]*

C. Boundary Streets

The minimum improvements for a Boundary Street shall be:

1. One paved 11-foot travel lane in each direction;
2. On-street parking on the side of the street abutting the development, if on-street parking is indicated in the TSP;
3. Curb on the side of the street abutting the development;
4. Drainage facilities on the side of the street abutting the development;
5. Street trees on the side of the street abutting the development; and
6. A sidewalk on the side of the street abutting the development.

Applicant Response: Commerce Way, which borders the subject parcel, is a local street as identified in the Woodburn Transportation System Plan and is considered a Boundary Street. See Attachment 10 – Pre-Application Report. However, pursuant to Section 3.01.02.D above, AT&T has submitted with its application an Exception to the Street Right-of-Way Improvements Requirements for exemption from the minimum standards in this Section, pursuant to this chapter as well as a failure to meet the rough proportionality analysis required under federal law. Please see Attachment 1—Project Narrative for additional discussion.

D. Connecting Streets *[OMITTED AS NA]*

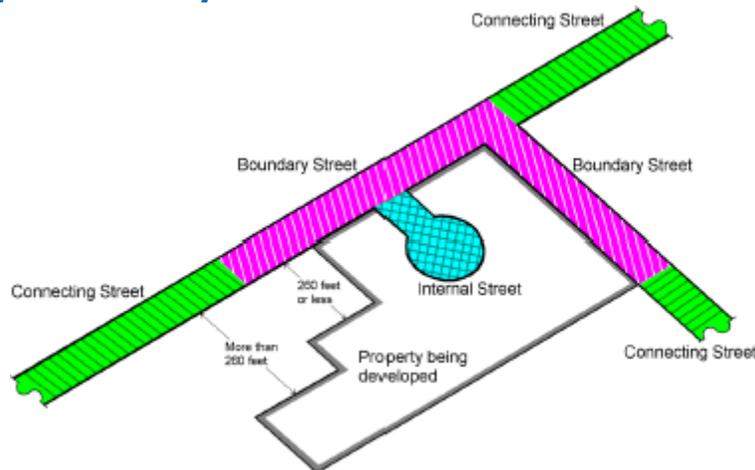


Figure 3.01A – Internal, Boundary, and Connecting Streets

E. When the Director determines that a required improvement of a Boundary or Connecting Street would not be timely, due to pending development of properties in the immediate vicinity or improvement of the streets which are identified in the Capital Improvement Program (CIP), the Director may accept a fee-in-lieu, in the amount equal to the costs of the required improvement.

Applicant Response: As noted, pursuant to Section 3.01.02.D, AT&T has submitted with its application an Exception to the Street Right-of-Way Improvements Requirements for an exemption from the minimum standards in this Section, pursuant to this chapter as well as a failure to meet the rough proportionality analysis required under federal law. Please see Attachment 1—Project Narrative for additional discussion.

- F. When the Director determines that a required improvement of a Boundary or Connecting Street would not be feasible, due to physical constraints of properties in the immediate vicinity or an inability to obtain right-of-way dedication, the Director may approve construction of a partial-width street, to the minimum standards set forth above.

Applicant Response: Not applicable.

Chapter 3.02 Utilities and Easements

3.02.01 Public Utility Easements.

- A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.
- B. A five-foot wide public utility easement shall be dedicated along each lot line abutting a public street.
- C. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, or Planned Unit Developments (PUDs), the Director may require dedication of public utility easements.

Applicant Response: Please see Attachment 1—Project Narrative for AT&T's request for exemption from exactions for the proposed Facility due to a failure to meet the rough proportionality analysis established under federal law.

3.02.02 Creeks and Water Course Maintenance Easements.

- A. Public improvement and maintenance easements shall be dedicated along all creeks and other water courses. On streams and waterways where development is regulated, based on Federal Emergency Management Administration (FEMA) flood hazard delineation, the minimum width shall be adequate to accommodate the 100-year floodway.

Applicant Response: Please see Attachment 1—Project Narrative for AT&T's request for exemption from exactions for the proposed Facility due to a failure to meet the rough proportionality analysis established under federal law.

- B. On other open channel water courses, such easements shall, at a minimum, extend from the top of one bank to the top of the other bank. These easements shall include an additional 20 feet in width at the top of the bank along the entire length, on one side of the open channel.

Applicant Response: Not Applicable.

- C. On all piped systems, the easement shall be a minimum of sixteen feet in width. Wider easements may be required by the Director, when needed to accommodate the installation of, or access to, larger and/or deeper pipes.

Applicant Response: Not Applicable.

3.02.03 Street Lighting

- A. Public Streets

Public streets abutting a development shall be illuminated with street lights installed to the standards of the City and the electric utility.

Applicant Response: Not applicable. please see Attachment 1—Project Narrative for AT&T's request for exemption from exactions for the proposed Facility due to a failure to meet the rough proportionality analysis established under federal law.

3.02.04 Underground Utilities

All permanent utility service to and within a development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist.

Applicant Response: Please see Attachment 13—Zoning Drawings, Sheet A1.0, which demonstrates AT&T's intent to underground the power and telecommunications utilities to serve the proposed Facility.

Chapter 3.06 Landscaping

3.06.02 General Requirements

- A. Building plans for all uses subject to landscaping requirements shall be accompanied by landscaping and irrigation plans.
- B. All required landscaped areas shall be irrigated unless it is documented that the proposed landscaping does not require irrigation.
- C. All shrubs and ground cover shall be of a size upon installation so as to attain 80% of ground coverage within 3 years.
- D. Installation of plant materials and irrigation specified in an approved landscaping plan shall occur at the time of development and shall be a condition of final occupancy. Should site conditions make installation impractical, an acceptable performance guarantee may be approved, subject the requirements of this Ordinance (Section 4.02.08).
- E. The property owner shall be responsible for maintaining all landscaping, fences, and walls in good condition, so as to present a healthy and orderly appearance. Unhealthy and dead plants shall be removed and replaced, in conformance with the original landscape plan.
- F. The required number of plant units shall be met by a combination of plant materials listed in this Ordinance (Table 3.06B).
- G. Required plant units need not be allocated uniformly throughout specified landscaping areas, but may be grouped for visual effect.
- H. Landscaped areas that are not covered by plant materials shall be covered by a layer of bark mulch or decorative rock, a minimum of two inches in depth.
- I. A six-inch-high concrete curb shall be provided between landscaped areas and parking and circulation areas.
- J. Plant materials shall be appropriate to the climate and environment of Woodburn. Inclusion of plants identified in "Suggested Plant Lists for Required Landscaping", published by the Portland Bureau of Development Services, can be used to meet this standard. A landscape architect, certified arborist or nursery person may also attest to plant appropriateness.
- K. Prohibited trees identified by this ordinance (Table 3.06C) do not count towards required landscaping.

Applicant Response: AT&T acknowledges, understands and intends to comply with applicable landscaping requirements pursuant to this Section 3.06.02 and Section 2.08.03.B.9. Please see Attachment 13—Zoning Drawings, Sheets L1.0 for demonstration of AT&T's compliance with applicable landscaping requirements.

3.06.03 Landscaping Standards

A. Street Trees

Within the public street right-of-way abutting a development, street trees shall be planted to City standards, prior to final occupancy.

1. One tree per every entire 50 feet of street frontage shall be planted within the right-of-way, subject to vision clearance area standards and placement of public utilities.
2. Street trees shall be planted according to the property's zoning, and the abutting street's classification in the Transportation System Plan:

- a. Large trees shall be planted along Major and Minor Arterial streets. Large trees shall also be planted along all streets in the Neighborhood Conservation Overlay District (NCOD), regardless of street classification;
 - b. Medium trees shall be planted along Service Collector and Access/Commercial Streets;
 - c. Small trees shall be planted along all other streets.
3. The Director may modify this requirement, based on physical constraints and existing conditions, including the location of driveways and utilities. Such modification may include relocating the street trees to abutting private property.

Applicant Response: As noted, pursuant to Section 3.01.02.D, AT&T has submitted with its application an Exception to the Street Right-of-Way Improvements Requirements for an exception from the minimum improvements for a Boundary Street in Section 3.01.02.D, which includes street trees. Please see the additional discussion of AT&T's request for this exception in Attachment 1—Project Narrative.

IV. RIPARIAN CORRIDOR AND WETLANDS OVERLAY DISTRICT

Chapter 2.05 Overlay Districts

2.05.05 Riparian Corridor and Wetlands Overlay District.

A. Purpose

The Riparian Corridor and Wetlands Overlay District (RCWOD) is intended to conserve, protect and enhance significant riparian corridors, wetlands, and undeveloped floodplains in keeping with the goals and policies of the Comprehensive Plan. The RCWOD is further intended to protect and enhance water quality, prevent property damage during floods and storms, limit development activity in designated areas, protect native plant species, maintain and enhance fish and wildlife habitats, and conserve scenic and recreational values.

B. Boundaries of the RCWOD

1. The RCWOD includes:

- a. Riparian corridors extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and those reaches of their tributaries identified as fish-bearing perennial streams on the Woodburn Wetlands Inventory Map; and
- b. Significant wetlands identified on the Woodburn Wetlands Inventory Map. Where significant wetlands are located fully or partially within a riparian corridor, the RCWOD shall extend 50 feet from the edge of the wetland; and
- c. The 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable lands Inventory.

Applicant Response: The subject parcel is adjacent to Mill Creek and consists of significant wetlands along the creek per the City of Woodburn Wetlands Inventory Map. In addition, a portion of the parcel adjacent to the creek is within the 100-year floodplain (AE). The proposed Facility is located approximately 88ft from the RCWOD boundary, which includes the 100-year floodplain (AE), as shown in Attachment 13 – Zoning Drawings, Sheet A1.0.

2. The approximate boundaries of the RCWOD are shown on the Zoning Map. The precise boundaries for any particular lot should be verified by the property owner when making a land use application. Map errors may be corrected as provided in this Ordinance (Section 1.02.04).

Applicant Response: Please see Attachment 13—Zoning Drawings, Sheet A1.0 for demonstration of the location of the RCWOD boundary. Pursuant to the March 18, 2020 pre-application meeting, AT&T also

intends to submit a wetlands delineation report to confirm the boundaries of the RCWOD included in Attachment 13—Zoning Drawings.

C. Permitted Uses and activities

The following uses and activities are allowed, provided they are designed and constructed to minimize intrusion into the RCWOD:

1. Erosion or flood control measures that have been approved by the Oregon Department of State Lands, the U.S. Army Corps of engineers, or another state or federal regulatory agency
2. Maintenance of existing structures, lawns and gardens
3. Passive recreation uses and activities
4. Removal of non-native plant species and replacement with native plant species
5. Streets, roads, and paths that are included in an element of the Comprehensive Plan
6. Utilities
7. Water-related and water-dependent uses, including drainage facilities, water and sewer facilities, flood control projects, drainage pumps, public paths, access ways, trails, picnic areas or interpretive and educational displays and overlooks, including benches and outdoor furniture.

Applicant Response: Not applicable. As noted above, the proposed Facility is not located within the RCWOD—the boundary of the Lease Area for the proposed Facility is setback approximately 88ft from the RCWOD boundary. Please see Attachment 13—Zoning Drawings, Sheet A1.0.

D. Prohibited Uses and Activities

1. New buildings or structures or impervious surfaces, except for replacement of existing structures within the original building footprint
2. Expansion of existing buildings or structures or impervious surfaces
3. Expansion of areas of pre-existing non-native landscaping such as lawn, gardens, etc.
4. Dumping, piling, or disposal of refuse, yard debris, or other material
5. Removal of vegetation except for:
 - a. Uses permitted by this Section
 - b. Perimeter mowing of a wetland for fire protection purposes;
 - c. Water-related or water-dependent uses, provided they are designed and constructed to minimize impact on the existing riparian vegetation;
 - d. Removal of emergent in-channel vegetation that has the potential to cause flooding;
 - e. Hazardous tree removal.
6. Grading, excavation and the placement of fill except for uses permitted by this Section.

Applicant Response: Not applicable. As noted above, the proposed Facility is not located within the RCWOD—the boundary of the Lease Area for the proposed Facility is setback approximately 88ft from the RCWOD boundary. Please see Attachment 13—Zoning Drawings, Sheet A1.0.

E. Variances

The restrictions of this Section may be reduced or removed if they render an existing lot or parcel unbuildable or work an excessive hardship on the property owner. The reduction or removal shall be decided through the Variance process.

Applicant Response: AT&T acknowledges and understands this provision.

F. Site Maintenance

1. Any use, sign or structure, and the maintenance thereof, lawfully existing on the date of adoption of this ordinance, is permitted within the RCWOD. Such use, sign or structure may continue at a similar level and manner as existed on the date of the adoption of this ordinance.
2. The maintenance and alteration of pre-existing ornamental landscaping is permitted as long as no native vegetation is disturbed. Maintenance of lawns, planted vegetation, and landscaping shall be kept to a minimum and not include the spraying of pesticides or herbicides. Vegetation that is removed shall be replanted with native species. Maintenance trimming of existing trees shall be kept at a minimum and under no circumstances can the trimming maintenance be so severe as to compromise the tree's health, longevity, and resource functions. Vegetation within utility easements shall be kept in a natural state and replanted when necessary with native plant species.

Applicant Response: Not applicable. As noted above, the Proposed Facility is not located within the RCWOD. Please see Attachment 13—Zoning Drawings, Sheet A1.0.

G. Site Plan

When a use or activity that requires the issuance of a building permit or approval of a land use application is proposed on a parcel within, or partially within the RCWOD, the property owner shall submit a site plan to scale showing the location of the top-of-bank, 100-year flood elevation, jurisdictional delineation of the wetland boundary approved by the Oregon Department of State Lands (if applicable), riparian setback, existing vegetation, existing and proposed site improvements, topography, and other relevant features.

Applicant Response: Please see Attachment 13—Zoning Drawings, Sheet A1.0 for a demonstration of AT&T's compliance with this requirement. Pursuant to the March 18, 2020 pre-application meeting, AT&T also intends to submit a wetlands delineation report to confirm the boundaries of the RCWOD included in Attachment 13—Zoning Drawings.

H. Coordination with the Department of State Lands

The Oregon Department of State Lands shall be notified in writing of all applications to the City for development activities, including applications for plan and/or zone amendments, development or building permits, as well as any development proposals by the City that may affect any wetlands, creeks or waterways.

Applicant Response: AT&T acknowledges and understands this provision.

V. REVIEW PROCEDURES

Chapter 4.01 Decision Making Procedures

4.01.07 Consolidated Applications.

An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

Applicant Response: AT&T has submitted a CUP, Exception to the Street Right-of-Way Improvements Requirements, and Grading Permit application that AT&T hereby requests to be consolidated under a single Type III review for the proposed Facility.

4.01.13 Pre-Application Conference.

- A. **Applicability:** Prior to submitting an application, the applicant may schedule a pre-application conference with City staff to discuss the proposal before submitting an application of any land use action. A pre-application conference is advisory in nature and shall be voluntary, excepting annexations, where a pre-application conference is mandatory.
- B. **Purpose:** The purpose of a pre-application conference is to provide staff from all affected City departments the opportunity to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Director shall provide a written summary of the pre-application conference.
- C. **Requirements for a Pre-application Conference:** To schedule a pre-application conference, a complete City application, accompanying information, and filing fee must be submitted to the Director.
- D. **No Waiver of Requirements:** Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of the Woodburn Development Ordinance and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Applicant Response: A pre-application conference for the proposed Facility was conducted on March 18, 2020. Please see Attachment 10—Pre-Application Report for the pre-application conference minutes.

Chapter 5.03 Type III (Quasi-Judicial) Decisions

5.03.01 Conditional Use

- A. **Purpose:** A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

Applicant Response: AT&T acknowledges and understands this provision.

- B. **Criteria:**

- 1. The proposed use shall be permitted as a conditional use within the zoning district.
Applicant Response: The proposed Facility is permitted as a conditional use in the IL district.
- 2. The proposed use shall comply with the development standards of the zoning district.
Applicant Response: As addressed by AT&T herein, the proposed Facility complies with the applicable development standards of the IL district.
- 3. The proposed use shall be compatible with the surrounding properties. Relevant factors to be considered in determining whether the proposed use is compatible include:
 - a. The suitability of the size, shape, location and topography of the site for the proposed use;
 - b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
 - c. The impact of the proposed use on the quality of the living environment:
 - 1)Noise;
 - 2)Illumination;
 - 3)Hours of operation;

- 4)Air quality;
- 5)Aesthetics; and
- 6)Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

Applicant Response: Please see AT&T's response to these same criteria in Section 5.03.11 herein.

5.03.03 Exception to Street Right of Way and Improvement Requirements.

- A. Purpose: The purpose of a Type III Exception is to allow a deviation from the development standard required for the functional classification of the street identified in the Transportation System Plan. Street exceptions are processed in conjunction with a development proposal that is a Type III application.

Applicant Response: AT&T has submitted with its CUP application a Type III Exception to the Street Right-of-Way Improvements Requirements for an exemption from the minimum improvements for a Boundary Street in Section 3.01.02.D pursuant to this Section and established case law. Please see the additional discussion of AT&T's request for this exception in Attachment 1—Project Narrative.

B. Criteria:

1. The estimated extent, on a quantitative basis, to which the rights of way and improvements will be used by persons served by the building or development, whether the use is for safety or convenience;

Applicant Response: The proposal is for an unmanned wireless telecommunication facility that will be visited by a cellular technician once per month, on average, for regular or emergency maintenance.

2. The estimated level, on a quantitative basis, of rights of way and improvements needed to meet the estimated extent of use by persons served by the building or development;

Applicant Response: As stated above, the proposed Facility is unmanned and will only be visited by a cellular technician in a single vehicle once per month, on average, for regular or emergency maintenance. It is more common than not that access to wireless facilities is via unimproved roads and drives. Accordingly, no ROW improvements are needed to meet the extent of use by the technicians serving the Facility.

3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights of way and improvements will be a part; and

Applicant Response: As an unmanned facility with only once monthly maintenance visits, on average, the proposed Facility will not have a quantitative impact on the public infrastructure system of which the ROW improvements would be a part.

4. The estimated level, on a quantitative basis, of rights of way and improvements needed to mitigate the estimated impact on the public infrastructure system.

Applicant Response: As stated above, the Facility will not have a quantitative impact on the public infrastructure system, therefore no ROW improvements are needed for mitigation.

- C. Proportionate Reduction in Standards: An exception to reduce a street right of way or cross-section requirement below the functional classification standard may be approved when a lesser standard is justified based on the nature and extent of the impacts of the proposed development. No exception may be granted from applicable construction specifications.

Applicant Response: AT&T is requesting approval of an exception from all right of way improvements required under Section 3.01.03.C along Commerce Avenue. Please see the additional discussion of AT&T's request for this exception in Attachment 1—Project Narrative.

- D. Minimum Standards: To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, there are minimum standards for right of way and improvement that must be provided to meet the standards of this Ordinance (Section 3.01). Deviation from these minimum standards may only be considered by a variance procedure.

Applicant Response: As noted, AT&T is requesting an exception from all right of way improvements required under Section 3.01.03.C along Commerce Avenue, as the proposed Facility will have no impact on the public infrastructure. Please see the additional discussion of AT&T's request for this exception in Attachment 1—Project Narrative.

5.03.11 Telecommunications Facility, Specific Conditional Use.

- A. Purpose: The purpose of this Type III review is to provide a procedure to consider the siting of telecommunication facilities subject to the standards of this Ordinance (Sections 2 and 3).

B. Criteria:

1. The proposed use shall be listed as an allowed conditional use within the zoning district.

Applicant Response: Pursuant to Table 2.04.A in Chapter 2.04 Industrial and Public Zones, a telecommunications facility is an allowed conditional use within the IL zoning district.

2. The proposed use shall comply with the development standards of the zoning district.

Applicant Response: AT&T's proposal complies with the applicable development standards of the IL district under Table 2.04.B in Section 2.04.C Development Standards, as demonstrated herein and shown in Attachment 13—Zoning Drawings.

3. The proposed use shall be compatible with the surrounding properties. Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;

Applicant Response: The site proposed meets the requirements set forth by AT&T's RF engineers when determining the appropriate location of the proposed Facility to best meet AT&T's service objectives. As demonstrated in Attachment 3 – RF Justification, the site is in the middle of the targeted search ring and meets AT&T's service objectives within the Targeted Service Area. Additionally, the proposed site will require minimal disturbance during construction due to its level topography, proximity to existing utilities, and easy access.

- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;

Applicant Response: As an unmanned facility, the proposed WCF only requires electricity and telecommunications services, both of which have adequate availability and capacity. There is also adequate access to serve the proposed Facility. Please see Attachment 13—Zoning Drawings.

- c. The impact of the proposed use on the quality of the living environment:

- 1) Noise;

Applicant Response: Please see Attachment 8—Noise Study, which demonstrates the mitigation measures proposed by AT&T to comply with the noise requirements in Section 2.08.03.B.8.

- 2) Illumination;
Applicant Response: As noted in Section 2.08.03.B.7, AT&T is not proposing any illumination for the proposed Facility other than motion-controlled security lighting that comes standard on the prefabricated equipment walk-in cabinet, and as may be required by the FAA and ODA.
 - 3) Hours of operation;
Applicant Response: AT&T's proposed WCF is an unmanned and passive use and will not require staffing at the site. Any site visits made by a cellular technician for regular maintenance will occur during normal business hours.
 - 4) Air quality;
Applicant Response: AT&T's proposed WCF is a passive use and will not generate dust, odors, or other air pollutants.
 - 5) Aesthetics; and
Applicant Response: The proposed Facility is the least intrusive means to meet AT&T's service objective within the Targeted Service Area while maintaining compatibility with surrounding structures and land uses to the greatest extent feasible. The proposed WCF is an unmanned and passive use with minimal visual impacts on the surrounding area, which will be mitigated by painting the monopole green to better blend with the surrounding vegetation and screening the base of the monopole and ground equipment with privacy fencing and a dense landscaping buffer. See Attachment 5—Photo Simulations and Attachment 13—Zoning Drawings for a visual representation and drawings of the proposed Facility.
 - 6) Vehicular traffic.
Applicant Response: As noted, the proposed Facility will not impact vehicular traffic. The proposed WCF is an unmanned wireless telecommunication facility that will be visited by a cellular technician in a single vehicle once per month, on average, for regular and emergency maintenance.
4. The conformance of the proposed use with applicable Comprehensive Plan policies; and
Applicant Response: As has been demonstrated herein, the proposed Facility is consistent with the purpose of the IL zone. Though no Comprehensive Plan policies specifically relate to the proposed Facility, the proposed Facility does not contradict any policies. Please see the Applicable Law section of Attachment 1—Project Narrative for additional discussion regarding AT&T's compliance with this criterion.
 5. The suitability of proposed conditions of approval to ensure adequate public facilities are available to serve the site and compatibility with other uses in the vicinity.
Applicant Response: As noted above, as an unmanned facility, the proposed WCF only requires electricity and telecommunications services. Adequate capacity for electricity and telecommunications can and will be provided to the subject property. The proposed Facility is the least intrusive means to meet AT&T's service objective within the Targeted Service Area while maintaining compatibility with surrounding structures and land uses to the greatest extent feasible. More impactful uses are allowed

in the IL zone, such as a petroleum and coal product manufacturing use and a motor freight transportation and warehousing use.

6. The specific standards and criteria this ordinance (Section 2.08.03) shall be met.
Applicant Response: As demonstrated by AT&T's responses in this Statement of Code Compliance, the proposed Facility complies with all applicable standards and criteria of Section 2.08.03.



February 28, 2020

City of Woodburn
Community Development Department
Planning Division
270 Montgomery Street
Woodburn, OR 97071-4730

Re: AT&T's Radio Frequency (RF) Engineering Justification for the Proposed Wireless Communications Facility in the City of Woodburn: SA69 Woodburn Parks & Rec on Map Tax Lot: 051W08CB05000 (45.148733/ -122.845775)

To Whom It May Concern,

Enclosed please find the RF Justification document prepared for AT&T's proposed new wireless communications facility at the above noted location. This letter serves as my verification, to the best of my knowledge, of the accuracy of the RF information, propagation maps, and analysis provided in the attached RF Justification.

Thank you for your consideration of this information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Samsul Bujang".

Samsul Bujang
RF Engineer
AT&T Mobility



at&t

SA69 Woodburn Parks & Rec RF Justification

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SERVICE OBJECTIVES

AT&T is proposing to build a new wireless communications facility (“WCF” and/or “Facility”), SA69 Woodburn Parks & Rec, on Map Tax Lot: 051W08CB05000 (45.148733/ -122.845775) in the City of Woodburn, OR.

Service Objectives—Generally

AT&T strives for a network design that provides high radio frequency (“RF”) signal strength and signal-to-interference-plus-noise ratio (“SINR”) resulting in quality service inside buildings and vehicles. Both signal strength and signal quality must be considered for a successful cellular data connection because although signal strength may appear to be adequate, throughput speeds (the maximum data transmission rate) may vary based on the signal quality.

To support a network that provides continuous and uninterrupted high RF signal strength and quality service (SINR) inside buildings and vehicles, AT&T must bring new sites on-air to address deficiencies (gaps) in coverage and/or capacity. “Coverage” is the need to expand wireless service into an area that either has no service or bad service. “Capacity” is the need for more wireless resources. Cell sites have a limited amount of resources to handle voice calls, data connections, and data volume. When these capacity limits are reached, user experience quickly degrades. Capacity issues for LTE networks are identified by using SINR metrics to measure the network’s signal quality when there is a high traffic load condition. High traffic areas in the network experience poor SINR due to the increased amount of signal noise/interference generated by the interfering strength of the simultaneous transmissions (*i.e.* too many users accessing the network in a given area).

Service Objectives & Targeted Service Area—Proposed New Facility

The proposed new Facility is a service coverage and capacity site intended to offload an existing AT&T wireless site (ORL00209A) and provide new dominant 4G LTE coverage and enhanced capacity within the downtown area of the City of Woodburn, particularly to serve the residences, businesses, and schools in the areas around N Settlement Ave, N Front Street, and N. Pacific Highway (OR-99E) from OR-214 south to Cleveland St (collectively, the “Targeted Service Area”).

As determined by AT&T’s RF engineers, the proposed new Facility meets AT&T’s service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service within the Targeted Service Area, resulting in fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands (including emergency 911 calls). The service objective, Targeted Service Area, and proposed location were determined by AT&T’s RF engineers through a combined analysis of market demand, customer complaints, service requests, and RF engineering design (including SINR metrics).

Search Ring

AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate location and antenna height required to best fulfill AT&T's service objectives within the Targeted Service Area. From this study, AT&T's RF engineers identified a search ring area, identified in **Figure A—Search Ring**, where the new wireless facility may be located to provide effective service in the Targeted Service Area. A discussion of the general methodology AT&T's RF engineers used to identify the Search Ring is included at the end of this RF Justification document.

Radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas; therefore, it is generally best to locate a facility near the center of the identified Search Ring and Targeted Service Area. Furthermore, as the proposed WCF is intended to offload capacity in a specific area, it is even more important for the facility to be strategically located within the identified Search Ring to be able to establish a dominant signal within the Targeted Service Area—*i.e.* so that the new site will provide dominant service to users' handsets and prevent them from communicating with AT&T's other existing sites, thereby relieving some of the burden on AT&T's existing facilities by offloading users' data requirements to the new site. Accordingly, the location of the proposed new WCF is centered geographically within the identified Search Ring to maximize the coverage and signal dominance within the Targeted Service Area.

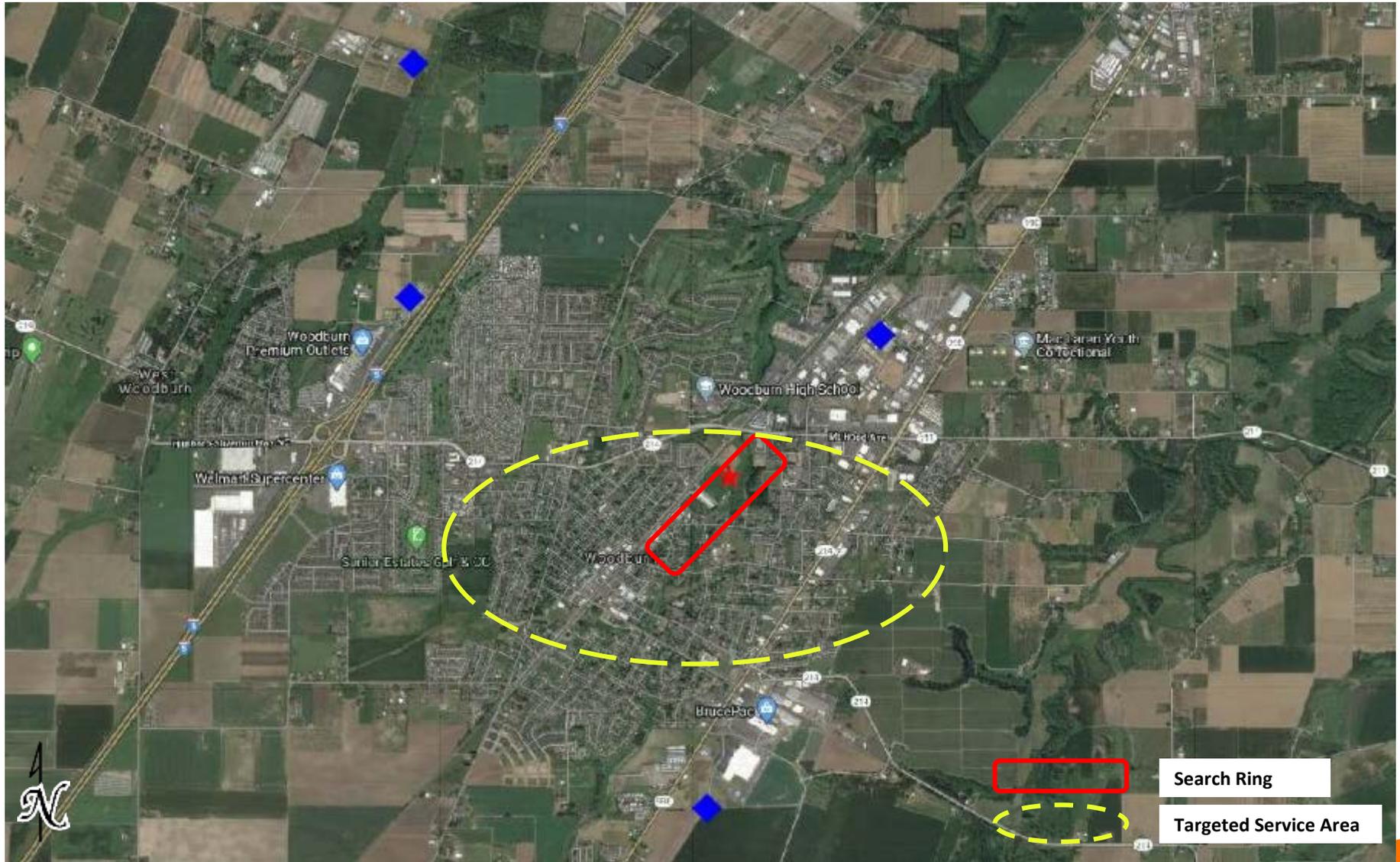
Antenna Height

Antenna height plays an equally important role in meeting the service objectives within the Targeted Service Area. The proposed antenna tip height of 100ft was determined by considering various factors such as the height of surrounding wireless sites, ground elevation, obstructions to the signal, and the surrounding terrain. Based upon these factors, AT&T's RF engineers determined that the proposed 100ft antenna tip height is the minimum necessary to best meet AT&T's service objectives to provide dominant coverage and enhanced capacity within the Targeted Service Area. The proposed antenna tip height is also the height where an AT&T wireless device can be reliably used to make and receive telephone calls and use data service in the presence of varying signals. As further detailed in this document, a lower antenna tip height at the proposed location would not provide as effective dominant coverage and capacity improvement within the Targeted Service Area and would not meet AT&T's service objectives for the proposed Facility.

Antennas and Equipment

To meet AT&T's service objectives within the Targeted Service Area, AT&T is proposing to install up to twelve (12) panel antennas and eighteen (18) remote radio head (RRH) units, together with all associated equipment.

Figure A—Search Ring



PROPOSED NEW AT&T FACILITY

Figure B.1—Existing AT&T 4G LTE Coverage shows existing AT&T wireless coverage in the general area of the proposed new Facility (shaded in green), which demonstrates the current gap in coverage in the Targeted Service Area. As can be seen, there is a coverage gap in all areas not shaded in green.

Figure B.2 Existing AT&T DL SINR shows the existing SINR in the general area, which as previously noted is an important metric to measure capacity issues for LTE networks. As can be seen, there is a signal strength gap in all areas not shaded in green. These include residences, schools, and business in the downtown area of Woodburn and along OR-99E.

As seen from Figures B.1 and B.2, AT&T's existing coverage and signal quality within the Targeted Service Area are both very poor. Based upon the proposed location, equipment, and antenna tip height, AT&T's RF engineers project that the proposed new Facility will provide the following new and enhanced AT&T 4G LTE coverage within the Targeted Service Area.

Figure C.1—New AT&T 4G LTE Coverage identifies the projected new AT&T 4G LTE coverage from the proposed new Facility with a 100ft antenna tip height (shaded in yellow), which increases coverage in the Targeted Service Area by 23% (from 5.383 sq.mi. to 7.092 sq.mi.).

Figure C.2—New AT&T DL SINR identifies the projected DL SINR gain from the proposed new Facility with a 100ft antenna tip height, which increases DL SINR dominance in the Targeted Service Area by 13.3%

Figure B.1—Existing AT&T 4G LTE Coverage
Targeted Service Area BEFORE Addition of Proposed New Wireless Facility

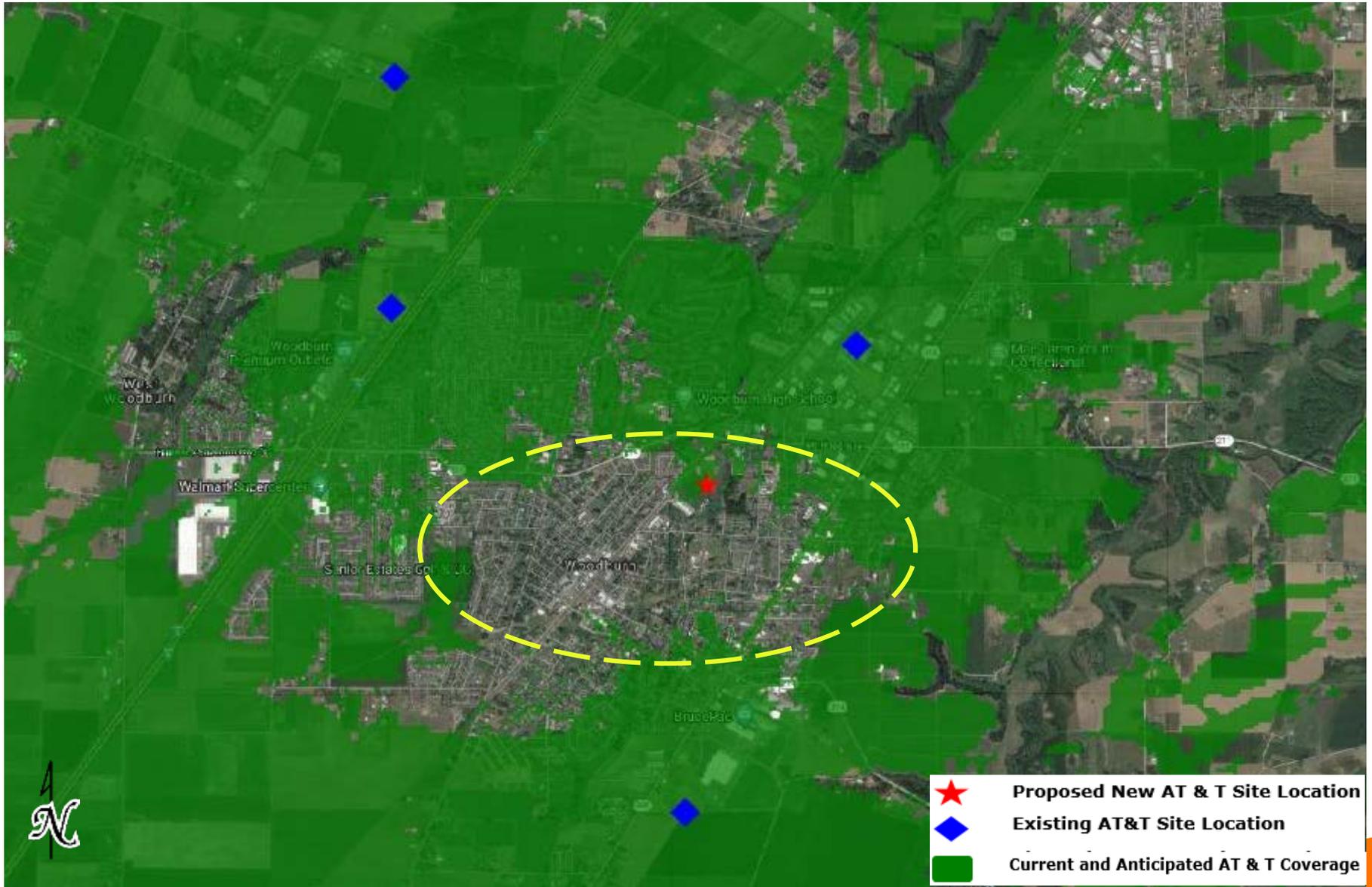


Figure B.2—Existing AT&T DL SINR

Targeted Service Area BEFORE Addition of Proposed New Wireless Facility

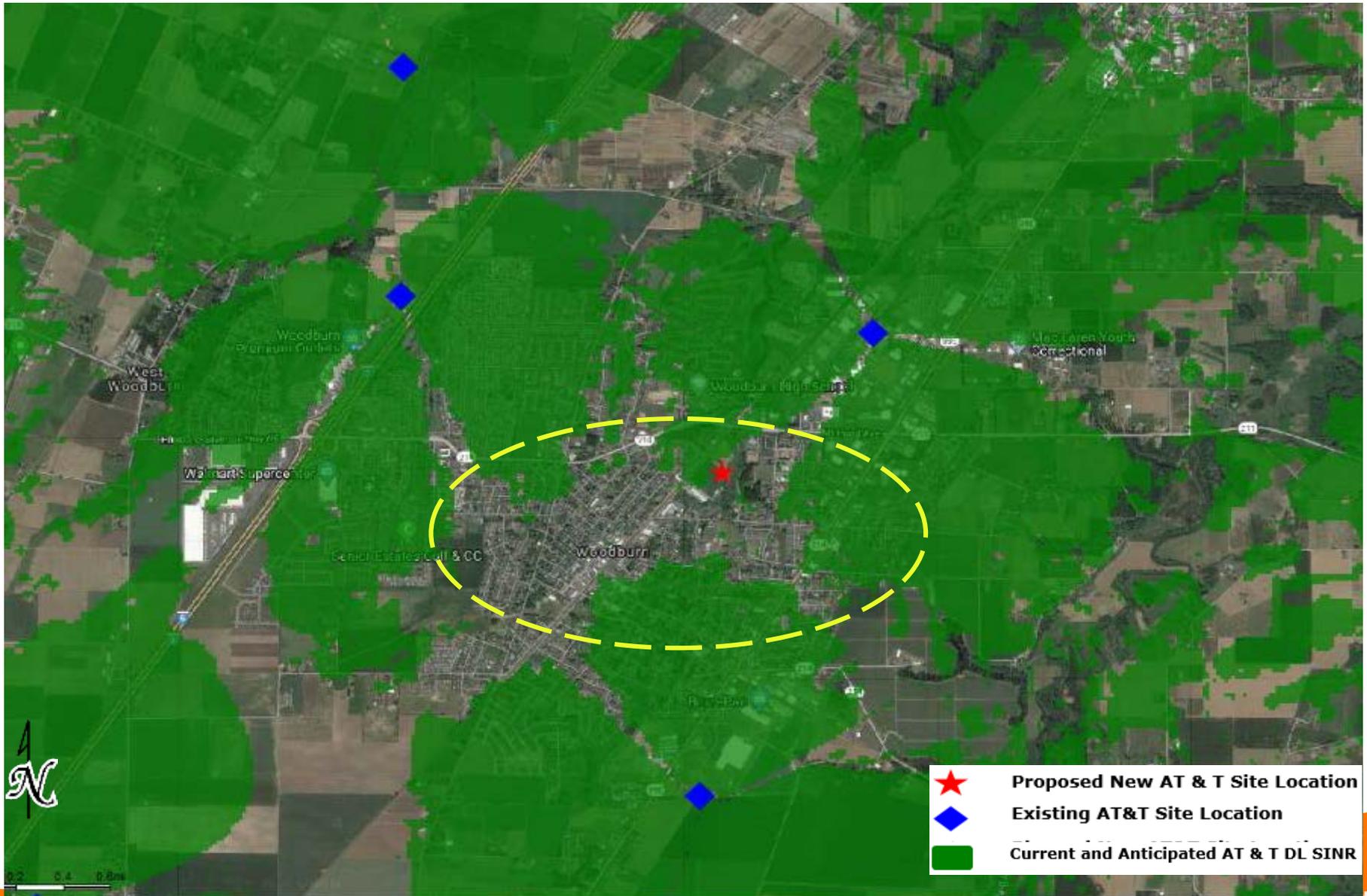


Figure C.1—New AT&T 4G LTE Coverage

Projected AT&T 4G LTE Coverage AFTER Proposed Facility On-Air—100ft Antenna Tip Height

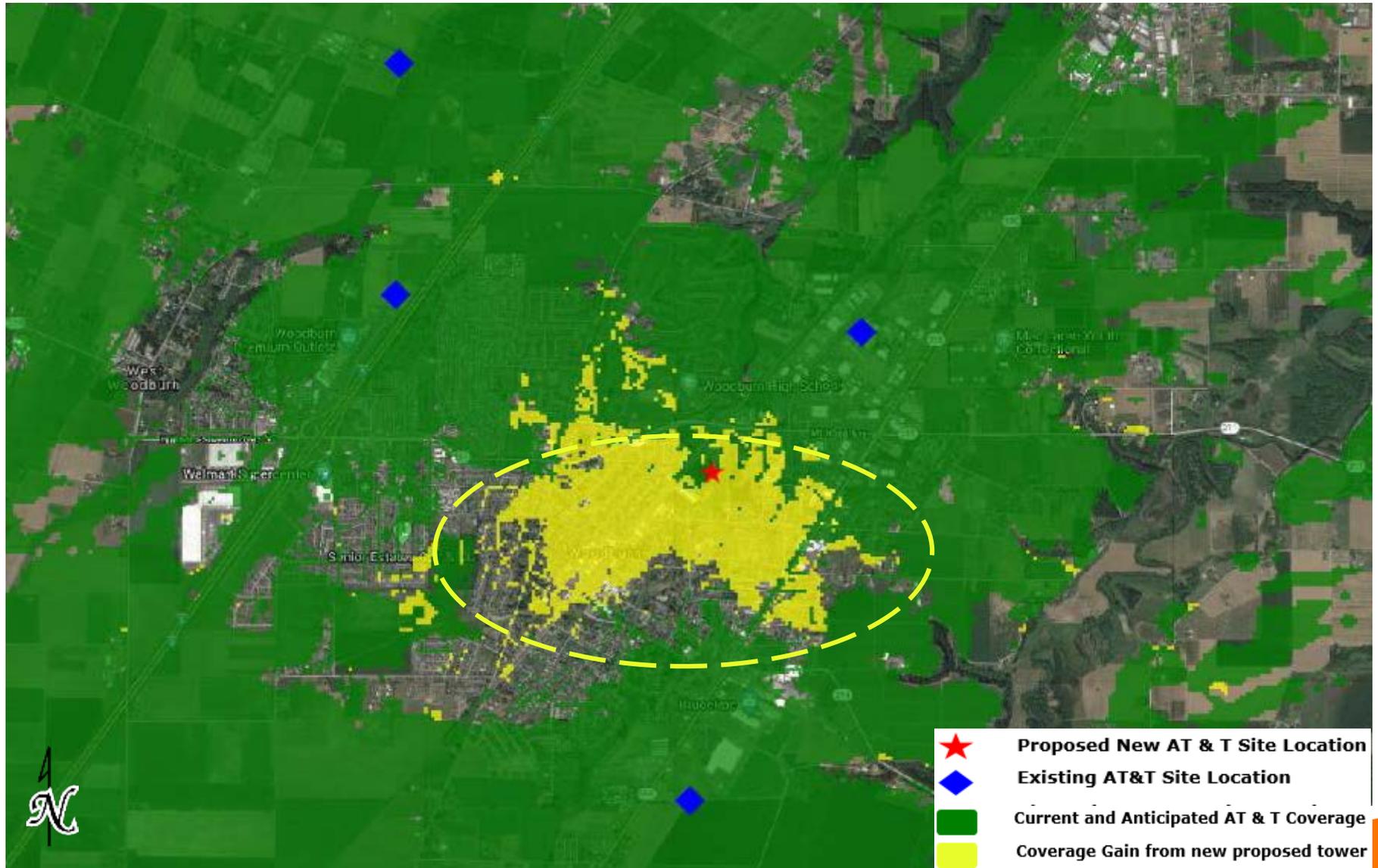
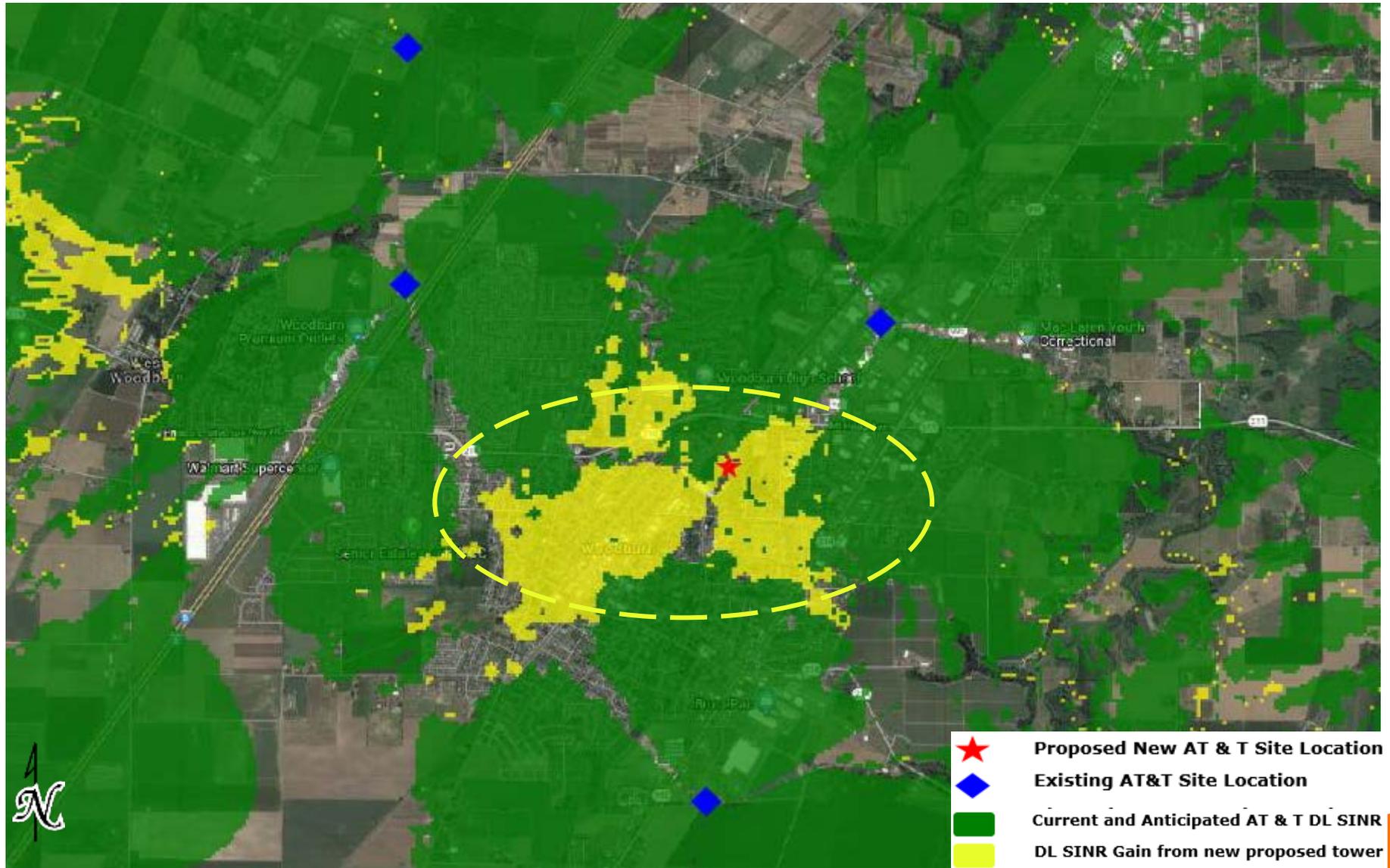


Figure C.2—New AT&T DL SINR

Projected AT&T DL SINR AFTER Proposed Facility On-Air—100ft Antenna Tip Height



ALTERNATIVE SITE ANALYSIS

AT&T's RF engineers found no towers or structures either available or technically feasible for collocation of the proposed new Facility.

- AT&T's RF engineers did not identify any existing towers within or directly adjacent to the Search Ring (Figure A) as available and/or technically feasible for collocation.
- Generally, there are no pre-existing buildings or structures within or directly adjacent to the Search Ring that are technically feasible for locating antennas, as the existing structures and buildings in the Search Ring are not tall enough to provide sufficient coverage to create a dominant signal and offload capacity within the Targeted Service Area. As noted, a 100ft antenna tip height is the minimum height needed for a site within the Search Ring to best meet AT&T's service objectives within the Targeted Service Area.
- AT&T's existing tower located approximately 1.44 miles south of the proposed new WCF (45.128 / -122.848) is the AT&T site intended to be offloaded by the proposed new Facility. This tower is too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area.
- An existing American Tower Corporation tower located approximately 0.9 miles NE of the proposed new WCF (45.1576 / -122.8326) also contains AT&T antennas but is not a feasible option for collocation as it is also too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area.
- An existing SBA tower located approximately 1.55 miles NW of the proposed new WCF (45.159565 / -122.872971) also contains AT&T antennas but is not a feasible option for collocation as it is also too far away to provide the coverage needed to establish a dominant signal and enhanced capacity within the Targeted Service Area. Additionally, there are already four carriers located on this tower.

SEARCH RING METHODOLOGY

AT&T's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and AT&T's RF engineers considered the general factors outlined below, as well as more project-specific factors such as the type of antenna, antenna tilt, etc.

Coverage. The antenna site must be located in an area where the radio frequency broadcasts will provide adequate coverage within the targeted service area. The RF engineer must take into consideration the coverage objectives for the site as well as the terrain in and around the area to be covered. Because radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas, it is generally best to place an antenna site near the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of the desired coverage area due to the existing coverage, the surrounding terrain, or other features which might affect the radio frequency broadcasts, *e.g.* buildings or sources of electrical interference.

Clutter. AT&T's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF to extend beyond and clear the clutter. AT&T's radio frequencies do not penetrate mountains, hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, AT&T's antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, the structure must be even taller to also allow the other carriers' antennas to clear the clutter.

Call Handoff. The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time to support the mechanism of the call handoff.

Quality of Service. Users of wireless communications services want to use their services where they live, work, commute and play, including when they are indoors. AT&T's coverage objectives include the ability to provide indoor coverage in areas where there are residences, businesses and indoor recreational facilities.

SEARCH RING METHODOLOGY—Con't

Radio Frequencies used by System. The designs of wireless communications systems vary greatly based upon the radio frequencies that are used by the carrier. If the carrier uses radio frequencies in the 850 MHz to 950 MHz range, the radio signals will travel further and will penetrate buildings better than the radio frequencies in the 1900 MHz band. As a result, wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications systems that use higher radio frequencies.

Land Use Classifications. A&T's ability to construct a WCF site on any particular property is affected by state and local regulations, including zoning and comprehensive plan classifications, goals, and policies. AT&T's search rings take these laws and regulations into consideration.



Oregon

Kate Brown, Governor



04/13/2020

Smartlink LLC
11232 120th Ave NE #204
Kirkland, WA 98034

3040 25th Street, SE
Salem, OR 97302-1125
Phone: (503) 378-4880
Toll Free: (800) 874-0102
FAX: (503) 373-1688

Subject: Oregon Department of Aviation comments regarding the construction of an antenna tower at 100 feet in height located near Woodburn, Oregon.

Aviation Reference: 2020-ODA-S-134-OE

The Oregon Department of Aviation (ODA) has conducted an aeronautical study of this proposed construction and has determined that notice to the FAA is not required. The structure does not exceed FAR Part 77.9 (a-d) or Obstruction Standards of OAR 738-70-0100.

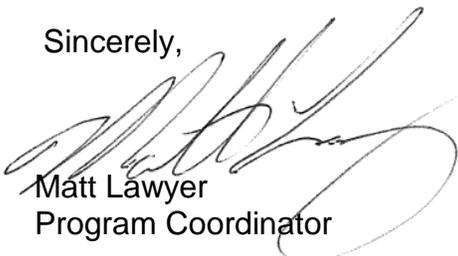
This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes to the original application will void this determination. Any future construction or alteration to the original application will require a separate notice from ODA.

This determination will expire 18 months after its effective date, regardless of whether the proposed construction or alteration has been started, or on the date the proposed construction or alteration is abandoned, whichever is earlier.

Mitigation Recommendation:

- We do not object with conditions to the construction described in this proposal. This determination does not constitute ODA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.
- Marking and lighting are recommended for aviation safety. We recommend it be installed and maintained in accordance with FAA Advisory Circular AC70/7460-1L
- The proposed obstruction should be lowered to a height that is no longer a hazard to the airport primary and horizontal surface FAA FAR 77
- The proposed obstruction should be relocated outside the airport primary and horizontal surface FAA FAR 77

Sincerely,



Matt Lawyer
Program Coordinator

ATTACHMENT 108

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

§ 77.7 Form and time of notice.

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460-1, Notice of Proposed Construction or Alteration. FAA Form 7460-1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460-1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

§ 77.9 Construction or alteration requiring notice.

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177
Fax: (817) 222-5920

Website: <https://oeaaa.faa.gov>

INSTRUCTIONS FOR COMPLETING FAA FORM 7460-1

PLEASE TYPE or PRINT

ITEM #1. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #2. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #3. New Construction would be a structure that has not yet been built.

Alteration is a change to an existing structure such as the addition of a side mounted antenna, a change to the marking and lighting, a change to power and/or frequency, or a change to the height. The nature of the alteration shall be included in ITEM #21 "Complete Description of Proposal".

Existing would be a correction to the latitude and/or longitude, a correction to the height, or if filing on an existing structure which has never been studied by the FAA. The reason for the notice shall be included in ITEM #21 "Complete Description of Proposal".

ITEM #4. If Permanent, so indicate. If Temporary, such as a crane or drilling derrick, enters the estimated length of time the temporary structure will be up.

ITEM #5. Enter the date that construction is expected to start and the date that construction should be completed.

ITEM #6. Please indicate the type of structure. DO NOT LEAVE BLANK.

ITEM #7. In the event that obstruction marking and lighting is required, please indicate type desired. If no preference, check "other" and indicate "no preference" DO NOT LEAVE BLANK. NOTE: High Intensity lighting shall be used only for structures over 500' AGL. In the absence of high intensity lighting for structures over 500' AGL, marking is also required.

ITEM #8. If this is an existing tower that has been registered with the FCC, enter the FCC Antenna Structure Registration number here.

ITEM #9 and #10. Latitude and longitude must be geographic coordinates, accurate to within the nearest second or to the nearest hundredth of a second if known. Latitude and longitude derived solely from a hand-held G P S instrument is NOT acceptable. A hand-held GPS is only accurate to within 100 meters (328 feet) 95 percent of the time. This data, when plotted, should match the site depiction submitted under ITEM #20.

ITEM #11. NAD 83 is preferred; however, latitude and longitude may be submitted in NAD 27. Also, in some geographic areas where NAD 27 and NAD 83 are not available other datum may be used. It is important to know which datum is used. DO NOT LEAVE BLANK.

ITEM #12. Enter the name of the nearest city and state to the site. If the structure is or will be in a city, enter the name of that city and state.

ITEM #13. Enter the full name of the nearest public-use (not private-use) airport or heliport or military airport or heliport to the site.

ITEM #14. Enter the distance from the airport or heliport listed in #13 to the structure.

ITEM #15. Enter the direction from the airport or heliport listed in #13 to the structure.

ITEM #16. Enter the site elevation above mean sea level and expressed in whole feet rounded to the nearest foot (e.g. 17'3" rounds to 17', 17'6" rounds to 18'). This data should match the ground contour elevations for site depiction submitted under ITEM #20.

ITEM #17. Enter the total structure height above ground level in whole feet rounded to the next highest foot (e.g. 17'3" rounds to 18'). The total structure height shall include anything mounted on top of the structure, such as antennas, obstruction lights, lightning rods, etc.

ITEM #18. Enter the overall height above mean sea level and expressed in whole feet. This will be the total of ITEM #16 + ITEM #17.

ITEM #19. If an FAA aeronautical study was previously conducted, enter the previous study number.

ITEM #20. Enter the relationship of the structure to roads, airports, prominent terrain, existing structures, etc. Attach an 8-1/2" x 11" non-reduced copy of the appropriate 7.5 minute U.S. Geological Survey (USGS) Quadrangle Map MARKED WITH A PRECISE INDICATION OF THE SITE LOCATION. To obtain maps, contact USGS at 1-888-275-8747 or via internet at "<http://store.usgs.gov>". If available, attach a copy of a documented site survey with the surveyor's certification stating the amount of vertical and horizontal accuracy in feet.

ITEM #21.

- For transmitting stations, include maximum effective radiated power (ERP) and all frequencies.
- For antennas, include the type of antenna and center of radiation (Attach the antenna pattern, if available).
- For microwave, include azimuth relative to true north.
- For overhead wires or transmission lines, include size and configuration of wires and their supporting structures (Attach depiction).
- For each pole/support, include coordinates, site elevation, and structure height above ground level or water.
- For buildings, include site orientation, coordinates of each corner, dimensions, and construction materials.
- For alterations, explain the alteration thoroughly.
- For existing structures, thoroughly explain the reason for notifying the FAA (e.g. corrections, no record or previous study, etc.).

Filing this information with the FAA does not relieve the sponsor of this construction or alteration from complying with any other federal, state or local rules or regulations. If you are not sure what other rules or regulations apply to your proposal, contact local/state aviation's and zoning authorities.

Paperwork Reduction Work Act Statement: This information is collected to evaluate the effect of proposed construction or alteration on air navigation and is not confidential. Providing this information is mandatory or anyone proposing construction or alteration that meets or exceeds the criteria contained in 14 CFR, part 77. We estimate that the burden of this collection is an average 19 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB control number associated with this collection is 2120-0001. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.



March 21, 2020

Monica Striker
Capital Design Services, LLC
2101 4th Avenue E, Suite 202
Olympia, WA 98506

Re: Acoustical Report – AT&T SA69 Woodburn Park & Rec
Site: Southwest of 1420 Commerce Way, Woodburn, OR

Dear Monica,

This report presents a noise survey performed in the immediate vicinity of the proposed AT&T telecommunications facility at Southwest of 1420 Commerce Way in Woodburn, Oregon. This noise survey extends from the proposed equipment to the nearest properties. The purpose of this report is to document the existing conditions and the impacts of the acoustical changes due to the proposed equipment. This report contains data on the existing and predicted noise environments, impact criteria and an evaluation of the predicted sound levels as they relate to the criteria.

Ambient Conditions

Existing ambient noise levels were measured on site with a Svantek 971 sound level meter on March 16, 2020. Measurements were conducted as close to the receiving property lines nearest the proposed location as possible in accordance with Oregon Administrative Rules (OAR) 340-35-035 subsection (3)(b). The average ambient noise level was 50 dB(A), primarily due to local traffic on Commerce St.

Code Requirements

The site is located within the City of Woodburn Zoning jurisdiction on property with an IL zoning. The receiving properties to the north east and south west are also zoned IL. The receiving property to the south east is zoned P/SP, and the receiving property to the north west, across Commerce Way, is zoned RM.

The proposed new equipment includes equipment support cabinets and an emergency generator. The equipment support cabinets are expected to run 24 hours a day. The generator will run once a week during daytime hours for maintenance and testing purposes only.

Woodburn Development Ordinance 2.08.03.B.1.8 states: Noise generated by equipment shall be sound-buffered by means of baffling, barriers, or other suitable means, to reduce the sound level measured at the property to 30 dBA when adjacent to residential uses and 45 dBA in other areas. Therefore, the equipment support cabinets and generator must not exceed 30 dBA at the receiving property to the north west, across Commerce Way, and 45 dBA at all of the other receiving properties.

Predicted Equipment Sound Levels

The proposed equipment includes (1) Vertiv XTE 801 Series Walk-In-Cabinet (WIC). According to the manufacturer, this WIC is manufactured with a Marvair ECUA12 Air Conditioning Unit, and (1) Marvair WAC200S WAC unit. The following table presents a summary of the equipment and their associated noise levels:

Table 1: Equipment Noise Levels

Equipment	dBA (each)	Quantity	Combined dBA @ 5 ft
Marvair ECUA12 HVAC Unit	52 dBA @ 5ft	1	52
Marvair WAC Unit	62 dBA @ 5ft	1	62
Total dBA (All cabinets combined)			62

Methods established by ARI Standard 275-2010 and ASHRAE were used in predicting equipment noise levels to the receiving properties. Application factors such as location, height, and reflective surfaces are accounted for in the calculations.

The equipment will be located at grade surrounded by a 6'-0" chain-link fence with privacy slats. The nearest residential receiving property is approximately 500 feet northwest. The nearest non-residential receiving property is approximately 80 feet northeast of the equipment. The following table presents the predicted sound level at the nearest receiving property:

Table 2: Predicted Noise Levels: Proposed Equipment Cabinets

Line	Application Factor	NW (Res)	NE
1	Sound Pressure Level at 5 ft (dBA), Lp1	62	62
2	Distance Factor (DF) Inverse-Square Law (Free Field): $DF = 20 \cdot \log(d1/d2)$	-40 (500 ft)	-24 (80 ft)
4	New Equipment Sound Pressure Level at Receiver, Lpr (Add lines 1 through 3)	22	38

As shown in table 2, the sound level from the proposed equipment will meet the 30 dBA code limit at the nearest residential receiving property to the northwest. Additionally, noise levels will meet the 45 dBA code limit at the nearest non-residential receiving property to the northeast.

Emergency Equipment

The proposed equipment includes one Polar Power 8220-603 15 KW generator which has a sound level of 66 dBA at 23 feet. The generator will be located at grade surrounded by a 6'-0" chain-link fence. The nearest residential receiving property is approximately 500 feet northwest of the generator. The nearest non-residential receiving properties are approximately 80 feet northeast, 230 feet southeast, and 200 feet southwest of the generator. The following are the predicted sound levels at the receiving property:

Table 3: Predicted Noise Levels: Proposed Emergency Generator

Line	Application Factor	NW (Res)	NE
1	Equipment Sound Pressure Level at 23 ft. (dBA), Lp1	60	60
2	Distance Factor (DF) Inverse-Square Law (Free Field): $DF = 20\log(d1/d2)$	-27 (500 ft)	-11 (80 ft)
3	New Equipment Sound Pressure Level at Receiver, Lpr	33	49

As shown in Table 3, the sound pressure level from the proposed generator during test cycle operation is predicted to be 33 dBA at the nearest residential receiving property to the northwest which exceeds the 30 dBA code limit. The sound pressure level from the proposed generator during test cycle operation is predicted to be 49 dBA at the nearest residential receiving property to the northeast, which exceeds the 45 dBA code limit. In order for the equipment to meet code, the following noise mitigation measures must be implemented:

Noise Mitigation

Noise levels will need to be reduced by 3 dB for the cabinets to meet the code limit at the northwest receiving property, and by at least 4 dBA at the northeast receiving property. To provide the noise reduction, a noise barrier will need to be installed between the equipment and the receiving properties as follows:

Noise Barrier

- Install noise barrier material to the chain-link fence around the all sides of the equipment.
- The top of the noise barrier material shall be 6'-0" above grade.
- The noise barrier material shall consist of a solid material that has a surface mass of at least 1.5 lbs/sq ft. The following are common barrier materials that meet this requirement:
 - Soundseal BBC-13-2"

Predicted Noise Levels With Mitigation

The following tables present the predicted noise levels with the noise mitigation implemented.

Table 4: Predicted Noise Levels: Proposed Emergency Generator

Line	Application Factor	NW (Res)	NE
1	Equipment Sound Pressure Level at 23 ft. (dBA), Lp1	60	60
2	Noise reduction – noise barrier	-4	-5
3	Distance Factor (DF) Inverse-Square Law (Free Field): $DF = 20\log(d1/d2)$	-27 (500 ft)	-11 (80 ft)
4	New Equipment Sound Pressure Level at Receiver, Lpr	29	44

As shown in Table 4, the sound pressure level from the proposed generator during test cycle operation with the proposed mitigation is predicted to meet the 30 dBA residential code limit, and the 45 dBA non-residential code limit.

Please contact us if you have any questions or require further information.

Sincerely,
SSA Acoustics, LLP



Alan Burt, P.E.
PARTNER



RENEWAL DATE: 12/31/19

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